

FEDERAL REGISTER

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The President

RED CROSS WAR FUND CAMPAIGN
BY THE PRESIDENT OF THE UNITED STATES OF
AMERICA

A PROCLAMATION

WHEREAS our country has been viciously attacked and forced into a war of vast proportions, which will inevitably bring grief and distress to many and self-sacrifice to all; and

WHEREAS for more than sixty years the American National Red Cross has played a vital role in binding up the wounds of the injured, in sheltering, feeding, and clothing the homeless, in succoring the distressed, in rebuilding broken lives, and in rehabilitating the victims of catastrophes of nature and of war; and

WHEREAS in preparation for just such an emergency as we are now facing, the American National Red Cross has been spending funds at the rate of more than one million dollars a month, which is but a small fraction of the amount that the organization now requires in order to carry out effectively its functions as an essential auxiliary of our armed forces, particularly as a friendly liaison in welfare problems between the man in service and his family at home, and as a key agency in the civil-defense plans;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, and President of the American National Red Cross, do hereby proclaim the beginning, as of this date, of a Red Cross War Fund Campaign for the raising of a minimum sum of fifty million dollars; and I appeal to the American people to make this campaign an overwhelming success. Realizing the desire of every American to participate in the national war effort, I confidently anticipate an immediate and spontaneous response to this appeal.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of

the United States of America to be affixed.

DONE at the City of Washington this 12th day of December in the year of our Lord nineteen hundred and [SEAL] forty-one, and of the Independence of the United States of America the one hundred and sixty-sixth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[No. 2530]

[F. R. Doc. 41-9384; Filed, December 13, 1941;
11:17 a. m.]

EXECUTIVE ORDER

ESTABLISHING DEFENSIVE SEA AREAS AT PORTLAND, MAINE; PORTSMOUTH, NEW HAMPSHIRE; BOSTON, MASSACHUSETTS; NARRAGANSETT BAY; SAN DIEGO, CALIFORNIA; SAN FRANCISCO, CALIFORNIA; COLUMBIA RIVER ENTRANCE; AND STRAIT OF JUAN DE FUCA AND PUGET SOUND

By virtue of the authority vested in me by section 44 of the Criminal Code, as amended (U.S.C., title 18, sec. 96), the following-described areas are hereby established for purposes of national defense as naval defensive sea areas, with names as indicated:

1. Portland, Maine, Defensive Sea Area

All United States territorial waters of Casco Bay, Portland Harbor, Luckse Sound, Broad Sound and their tributaries from the contour line of extreme high water on the shores of these waters as shown on the latest U. S. C. and G. S. Charts, to:

A line running from Dyer Point (Cape Elizabeth) to West Cod Ledge Rock buoy No. "2" in approximate position, Latitude 43°34'17" North, Longitude 70°07'40" West, thence to Bulwark Shoal buoy, in approximate position Latitude 43°36'02" North, Longitude 70°04'04" West, thence to Halfway Rock

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Light, thence to the southernmost point on Little Birch Island, thence to Chebeag Point on Great Chebeag Island, thence to Blaney Point on Cousin Island, thence to Drinkwater Point on the mainland; and within Portland Harbor to:

A line crossing Portland Harbor at the Portland Terminal Bridge.

2. Portsmouth, New Hampshire, Defensive Sea Area

All United States territorial waters of the Atlantic Ocean, Portsmouth, New Hampshire, and Kittery, Maine Harbors, the Piscataqua River and their tributaries from the contour line of extreme high water on the shores of these waters as shown on the latest U.S.C. and G.S. Charts, to:

A line running northwest and southeast across Pepperel Cove through nun buoy No. "4" of Fishing Island, in approximate position Latitude 43°04'40" North, Longitude 70°42'18" West;

A line running southerly from Sisters Point on Gerrish Island to nun buoy No. "2", off West Sister Shoal in approximate position Latitude 43°03'36" North, Longitude 70°40'11" West, thence southwesterly to bell buoy No. "1" off Gunboat Shoal, in approximate position Latitude 43°01'25" North, Longitude 70°41'51" West, thence westerly to Seal Rocks, thence northwest to the shore of the mainland;

A line running from Frosts Point Light to Jaffrey Point Light on Newcastle Is-

land; and within Portsmouth Harbor, to:

A line crossing the Piscataqua River at and following the Boston and Maine Railroad Bridge.

3. Boston, Massachusetts, Defensive Sea Area

All United States territorial waters of Massachusetts Bay, Broad Sound, President Roads, Boston Harbor; the Mystic, Chelsea, and Charles Rivers, Quincy Bay, Weymouth Fore River, Nantasket Roads, Hingham Bay and their tributaries, bays and streams from the contour line of extreme high water on the shores of these waters as shown on the latest U.S.C. and G.S. Charts, to:

A line connecting Strawberry Point (Cohasset) and East Point, Nahant;

A line connecting Bass Point, Nahant, and Grovers Cliff, Winthrop Highlands; and within Boston Harbor, to:

A line across the Mystic River at and following the downstream Boston and Maine Railroad Bridge; and

A line across the Charles River at and following the Charlestown Bridge.

4. Narragansett Bay Defensive Sea Area

All United States territorial waters of Narragansett Bay, the Sakonnet River, Providence Harbor, and their tributaries from the contour line of extreme high water on the shores of these waters as shown on the latest U.S.C. and G.S. Charts, to:

A line running from the shore North of Point Judith on true bearing East to Little League Rock, thence northeasterly to bell buoy "E" in approximate position, Latitude 41°24'23" North, Longitude 71°21'24" West, thence to bell buoy No. "2", off Schuyler Ledge, in approximate position Latitude 41°26'24" North, Longitude 71°11'39" West, thence to the southernmost land of Sakonnet Point; and within Narragansett Bay and its tributaries to:

A line across the Taunton River at and following the New York, New Haven and Hartford Railroad Bridge; and

A line across the Seekonk River at and following the Red Bridge.

5. San Diego, California, Defensive Sea Area

All United States territorial waters of the Pacific Ocean, San Diego Bay, and their tributaries from the contour line of extreme high water on the shores of these waters, as shown on the latest U. S. C. and G. S. Charts, to:

A line running from Point Loma Light-house southerly to Lighted Whistle Buoy "1A", in approximate position Latitude 32°37'19" North, Longitude 117°14'42" West, thence northeasterly to Torpedo Range Buoy "0", in approximate position, Latitude 32°38'06" North, Longitude 117°12'07" West, thence easterly to Target No. 1 on shore, in approximate position Latitude 32°37'20" North, Lon-

gitude 117°08'04" West; and, within San Diego Bay, all the waters to the north of:
A line following the parallel of Latitude 32°40' North, from shore to shore.

6. *San Francisco, California, Defensive Sea Area*

All United States territorial waters of the Gulf of the Farallones, San Francisco Bay, San Pablo Bay, the Napa River, Carquinez Strait, Oakland Harbor, San Leandro Bay and their tributaries from the contour line of extreme high water on the shores of these waters, as shown on the latest U.S.C. and G.S. Charts, to:

A line running north to the shore from Whistle Buoy "1DR" (Duxbury Reef) in approximate position, Latitude 37°51'36" North, Longitude 122°41'46" West;

A line running southerly from Whistle Buoy "1DR" along the seaward limit of United States territorial waters to the parallel of Latitude 37°40' North, thence east along that parallel of Latitude to the shore; and within San Francisco Bay and its tributaries to:

A line across the south part of San Francisco Bay at and following the San Mateo Bridge;

A line across Carquinez Straits at and following the Southern Pacific Railroad Bridge;

A line across the Napa River at and following the Vallejo-Mare Island Causeway.

7. *Columbia River Entrance Defensive Sea Area*

All United States territorial waters of the Pacific Ocean and the Columbia River and their tributaries from the contour line of extreme high water on the shores of these waters as shown on the latest U.S.C. and G.S. Charts, to:

A line running from North Head, Washington, west to the boundary of United States territorial waters, thence southerly along the boundary of United States territorial waters to the vicinity of Bell Buoy No. "1", in approximate position, Latitude 46°14'21" North, Longitude 124°09'38" West, thence southeasterly along the seaward boundary of United States territorial waters to the parallel of Latitude 46°10' North, and along this parallel of Latitude to the shore; and within the Columbia River to:

A line across the Columbia River from Harrington Point, Washington, to Settler Point, Oregon;

A north and south line across Youngs River from shore to shore at the westernmost point of Daggett Point;

A line across the Lewis and Clark River at and following the Oregon Coast Highway Bridge.

8. *Strait of Juan de Fuca and Puget Sound Defensive Sea Area*

All United States territorial waters of the Pacific Ocean, the Strait of Juan de Fuca, Admiralty Inlet, Saratoga Passage, Possession Sound, Hood Canal, Puget Sound, and their tributaries from the

contour line of extreme high water on the shores of these waters, as shown on the latest U.S.C. and G.S. Charts, to:

A line running north from Tatoosh Island to the international boundary, thence easterly along the international boundary line to the easternmost point of that line in the vicinity of Middle Bank, thence to Iceberg Point on Lopez Island, thence easterly to the shore of Whidbey Island at Deception Pass;

A line running north from Point Demock on Camano Island to the shore of Whidbey Island; and

A line running each from Camano Head on Camano Island to the shore of the mainland.

A vessel not proceeding under United States naval or other United States authorized supervision shall not enter or navigate the waters of any of the defensive sea areas established hereby except during daylight, when good visibility conditions prevail, and then only after specific permission has been obtained. Advance arrangements for entry into or navigation through or within any of the said defensive sea areas must be made, preferably by application at the appropriate United States Naval District Headquarters in advance of sailing, or by radio or visual communication on approaching the seaward limits of the area. If radio telegraphy is used, the call "NQO" shall be made on a frequency of 500 kcs and permission to enter the port shall be requested. The name of the vessel, purpose of entry, and name of the master must be given in the request. If visual communications are used, the procedure will be essentially the same.

A vessel entering or navigating the waters of any of the said defensive sea areas does so at its own risk.

Even though permission has been obtained, it is incumbent upon a vessel entering any one of the said defensive sea areas to obey any further instructions received from the United States Navy or other United States authority.

A vessel may expect supervision of its movements within any of the said defensive sea areas, either through surface craft or aircraft. Such controlling surface craft and aircraft shall be identified by a prominent display of the Union Jack.

These regulations are subject to amplification by the local United States naval authority as necessary to meet local circumstances and conditions.

When a United States Maritime Control Area is established adjacent to or abutting upon any of the said described defensive sea areas, it shall be assumed that permission to enter, and other instructions issued by proper authority, shall apply to any one continuous passage through or within both areas.

Any master of a vessel or other person within any of the said defensive sea areas, who shall disregard these regulations, or shall fail to obey an order of United States naval authority to stop or

heave to, or shall perform any act threatening the efficiency of mine or other defenses or the safety of navigation, or shall take any action inimical to the interests of the United States, may be detained therein by force of arms and renders himself liable to attack by the armed forces of the United States, and liable to prosecution as provided in section 44 of the Criminal Code, as amended (U.S.C., title 18, sec. 96).

All United States authorities shall place at the disposal of the naval authorities their facilities for aiding in the enforcement of these regulations.

The Secretary of the Navy shall be charged with the publication and enforcement of these regulations.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
December 11, 1941.

[No. 8970]

[F. R. Doc. 41-9377; Filed, December 12, 1941; 12:31 p. m.]

EXECUTIVE ORDER

AUTHORIZING THE DIRECTOR OF SELECTIVE SERVICE TO PROVIDE FOR THE PHYSICAL REHABILITATION OF REGISTRANTS FOR TRAINING AND SERVICE IN THE ARMED FORCES OF THE UNITED STATES

By virtue of the authority vested in me by the Selective Training and Service Act of 1940 (54 Stat. 885), as amended, it is hereby ordered that the Director of Selective Service be, and he is hereby, authorized to plan, establish, and carry on a program having as its purpose the physical rehabilitation of registrants for training and service in the armed forces of the United States.

In order to carry out this purpose, the Director of Selective Service is hereby further authorized:

(1) To prescribe such rules and regulations, including changes and amendments to Selective Service Regulations, as he shall deem necessary.

(2) To issue such public notices, orders, and instructions as he shall deem necessary.

(3) To obligate such funds as may be specifically appropriated or allocated for this purpose and funds appropriated generally for the operation and maintenance of the Selective Service System.

(4) To perform, delegate, or provide for delegation of any duties, functions, and powers necessary in carrying out the purposes of this order to such officers, agents, or persons as he may designate, and in this connection to utilize so far as may be practicable any available Federal facilities.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
December 12, 1941.

[No. 8971]

[F. R. Doc. 41-9382; Filed, December 12, 1941; 4:13 p. m.]

EXECUTIVE ORDER

AUTHORIZING THE SECRETARY OF WAR AND THE SECRETARY OF THE NAVY TO ESTABLISH AND MAINTAIN MILITARY GUARD AND PATROLS, AND TO TAKE OTHER APPROPRIATE MEASURES, TO PROTECT CERTAIN NATIONAL-DEFENSE MATERIAL, PREMISES, AND UTILITIES FROM INJURY OR DESTRUCTION

WHEREAS the United States is now at war; and

WHEREAS there exists a serious and immediate potential danger of sabotage to national-defense material, national-defense premises, and national-defense utilities which may menace our maximum productive effort; and

WHEREAS the Congress of the United States has in recent enactments recognized this danger by enjoining efforts to injure, interfere with, or obstruct the national defense, and providing severe penalties therefor; and

WHEREAS it is considered necessary in the interests of national defense that, in particular situations where hazardous, dangerous, or other unfavorable conditions may from time to time exist, special precautionary measures be taken by establishing and maintaining military guards and patrols or other appropriate means to protect from injury or destruction national-defense material, national-defense premises, and national-defense utilities;

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, and Commander-in-Chief of the Army and Navy of the United States, I hereby authorize and direct the Secretary of War, whenever he deems such action to be necessary or desirable, to establish and maintain military guards and patrols, and to take other appropriate measures, to protect from injury or destruction national-defense material, national-defense premises, and national-defense utilities, as defined in the act of April 20, 1918, 40 Stat. 533, as amended by the act of November 30, 1940, 54 Stat. 1220, and the act of August 21, 1941, 55 Stat. 655.

This order shall not be construed as limiting or modifying the duty and responsibility of the Federal Bureau of Investigation, Department of Justice, with respect to the investigation of alleged acts of sabotage.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

December 12, 1941.

[No. 8972]

[F. R. Doc. 41-9380; Filed, December 12, 1941; 4:12 p. m.]

EXECUTIVE ORDER

TRANSFER OF EMPLOYEES POSSESSING QUALIFICATIONS FOR NATIONAL-DEFENSE WORK

WHEREAS there exists a critical shortage of persons qualified in certain occupations and professions essential to the

successful prosecution of the national-defense program; and

WHEREAS there are in the executive branch of the Government employees possessing skills and qualifications in such occupations and professions who are employed in positions in which they can be replaced:

NOW, THEREFORE, by virtue of the authority vested in me by the Civil Service Act (22 Stat. 403) and by section 1753 of the Revised Statutes of the United States (U.S.C., title 5, sec. 631), it is hereby ordered that whenever the Civil Service Commission shall find (a) that there is employed in the executive civil service of the United States any person who is qualified to perform work directly connected with the national-defense program for which there is a critical shortage of qualified persons, and (b) that the position occupied by such person can be filled, the head of the department or agency concerned shall be requested by the Commission to authorize the release of such person for transfer to a public or private agency to perform work directly connected with the national-defense program; but no transfer under this order shall be made without the consent of the head of the department and of the employee concerned.

Any person, except one holding a temporary position, transferred under this order whose services are subsequently terminated without prejudice shall be entitled to reemployment benefits as stated below provided that he is still qualified to perform the duties of his position and that he makes application for reinstatement within forty days after the termination of his services or forty days after the present national emergency shall have ceased to exist:

1. He shall be reinstated within thirty days of his application in the same department or agency, and in approximately the same locality, in his former position or in a position of like seniority, status, and pay, provided that such a position then exists.

2. If such a position does not exist, and such person is therefore not reinstated within thirty days of his application, his name shall be entered on the Reemployment List established pursuant to Executive Order No. 5924 of September 20, 1932, to be considered for certification to positions for which he is qualified elsewhere in the Government service.

3. No employee reinstated under this order shall be discharged from such position without cause within one year after his reinstatement.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

December 12, 1941.

[No. 8973]

[F. R. Doc. 41-9381; Filed, December 12, 1941; 4:12 p. m.]

GENERAL LICENSE UNDER SECTION 3 (a) OF THE TRADING WITH THE ENEMY ACT

By virtue of and pursuant to the authority vested in me by sections 3 and 5

of the Trading with the enemy Act, as amended, and by virtue of all other authority vested in me, I, FRANKLIN D. ROOSEVELT, PRESIDENT of the UNITED STATES OF AMERICA, do prescribe the following:

A general license is hereby granted licensing any transaction or act prohibited by section 3 (a) of the Trading with the enemy Act, as amended, provided, however, that such transaction or act is authorized by the Secretary of the Treasury by means of regulations, rulings, instructions, licenses or otherwise, pursuant to Executive Order No. 8389, as amended.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

December 13, 1941.

H. MORGENTHAU, JR.,
Secretary of the Treasury.

FRANCIS BIDDLE,
Attorney General of the
United States.

[F. R. Doc. 41-9402; Filed, December 15, 1941; 11:10 a. m.]

Rules, Regulations, Orders

TITLE 16—COMMERCIAL PRACTICES

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. 4574]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF ASPIRONAL COMPANY

§ 3.6 (c) Advertising falsely or misleadingly—Composition of goods: § 3.6 (t) Advertising falsely or misleadingly—Qualities or properties of product: § 3.6 (x) Advertising falsely or misleadingly—Results: § 3.6 (y) Advertising falsely or misleadingly—Safety: § 3.71 (e) Neglecting, unfairly or deceptively, to make material disclosure—Safety: § 3.96 (a) Using misleading name—Goods—Composition: § 3.96 (b) Using misleading name—Vendor—Products. In connection with offer, etc., of respondents' "Aspironal" or any other substantially similar preparation, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said preparation, which advertisements represent, directly or by implication, that their said preparation is a cure or remedy for the common cold, that it will rid one of the symptoms of the common cold, that it contains an effective quantity of aspirin, or that it has any therapeutic value in the treatment of the common cold in excess of giving temporary relief from the pain and discomfort arising therefrom; or which advertisements fail to reveal that said preparation should not be used by persons suffering from nausea, vomiting, abdominal pains, or other symptoms of appendicitis; or which advertisements include as a part of re-

spondents' trade name or as a brand name for their preparation the name "Aspironal" or any other name or word whose phonetics, spelling or appearance simulates, implies or suggests the word aspirin; prohibited; subject to the provision, however, that if the directions for use, wherever they appear on the label, in the labeling, or both on the label and in the labeling, contain a warning of the potential dangers in the use of said preparation, as set forth above, such advertisements need contain only the cautionary statement: Caution, Use Only as Directed. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) [Cease and desist order, Aspironal Company, Docket 4574, December 9, 1941]

In the Matter of J. D. Jacobs and P. W. Smith, Trading as Aspironal Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 9th day of December, A. D. 1941.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents and a stipulation as to the facts entered into by counsel for respondents herein and counsel for the Commission, which provides, among other things, that without further evidence or other intervening procedure the Commission may issue and serve upon the respondents herein findings as to the facts and its conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents J. D. Jacobs and P. W. Smith, trading as Aspironal Company, or under any other name, their representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of their preparation now named Aspironal or any other preparation containing the same or similar ingredients; under whatever name sold, do forthwith cease and desist from:

(1) Disseminating or causing to be disseminated any advertisement (a) by means of the United States mails, or (b) by any means in commerce, as commerce is defined in the Federal Trade Commission Act, which advertisement represents, directly or by implication, that their said preparation is a cure or remedy for the common cold; that it will rid one of the symptoms of the common cold; that it contains an effective quantity of aspirin; or that it has any therapeutic value in the treatment of the common cold in excess of giving temporary relief from the pain and discomfort arising therefrom; or which advertisement fails to reveal that said preparation should not be used by per-

sons suffering from nausea, vomiting, abdominal pains, or other symptoms of appendicitis: *Provided, however*, That if the directions for use, wherever they appear on the label, in the labeling, or both on the label and in the labeling, contain a warning of the potential dangers in the use of said preparation as hereinabove set forth, such advertisement need contain only the cautionary statement: Caution, Use Only as Directed;

(2) Disseminating or causing to be disseminated any advertisement (a) by means of the United States mails or (b) by any means in commerce, as commerce is defined in the Federal Trade Commission Act, which advertisement includes as a part of respondents' trade name or as a brand name for respondents' preparation the name "Aspironal" or any other name or word whose phonetics, spelling or appearance simulates, implies, or suggests the word aspirin;

(3) Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as commerce is defined in the Federal Trade Commission Act, of said preparation, which advertisement contains any of the representations or terms prohibited in paragraphs (1) and (2) hereof, or which fails to comply with the requirements set forth in paragraph (1) hereof with respect to said cautionary statement.

It is further ordered, That respondents shall within sixty (60) days after service upon them of this order file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-9388; Filed, December 13, 1941;
11:45 a. m.]

[Docket No. 4012]

IN THE MATTER OF PIONEER MERCHANDISE
COMPANY, INC.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Manufacturer:* § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (u) *Advertising falsely or misleadingly—Quality:* § 3.6 (x) *Advertising falsely or misleadingly—Results.* In connection with offer, etc., in commerce, of cigarette holders and other merchandise, representing, directly or by implication, (1) that cigarette holders or similar products made of cellulose acetate, or other material which disintegrates readily when exposed to heat or imparts an unpleasant taste or flavor to smoke coming in contact with it, are a superior product, or satisfactory for the

purpose intended, or will give the user pleasant and satisfactory service; and (2) that respondent is the manufacturer of cigarette holders or other articles of merchandise which are not in fact manufactured in a plant owned and operated or directly and absolutely controlled by respondent; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) [Cease and desist order, Pioneer Merchandise Company, Inc., Docket 4012, December 9, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 9th day of December, A. D. 1941.

This proceeding having been heard¹ by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, an agreed statement of facts and supplement thereto and other evidence taken before an examiner of the Commission theretofore duly designated by it, and brief in support of the complaint (no brief having been filed by respondent and oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Pioneer Merchandise Company, Inc., a corporation, its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of cigarette holders and other merchandise, do forthwith cease and desist from representing, directly or by implication:

(1) That cigarette holders or similar products made of cellulose acetate, or other material which disintegrates readily when exposed to heat or imparts an unpleasant taste or flavor to smoke coming in contact with it, are a superior product, or satisfactory for the purpose intended, or will give the user pleasant and satisfactory service;

(2) That respondent is the manufacturer of cigarette holders or other articles of merchandise which are not in fact manufactured in a plant owned and operated or directly and absolutely controlled by respondent.

It is further ordered, That respondent shall, within sixty (60) days after the service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-9389; Filed, December 13, 1941;
11:45 a. m.]

¹ 6 F.R. 363.

PART 3—DIGEST OF CEASE AND DESIST ORDERS

[Docket No. 4188]

IN THE MATTER OF WHITEWATER BREWING COMPANY, ET AL.

§ 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—Place:* § 3.66 (k) *Misbranding or mislabeling—Source or origin—Place:* § 3.96 (a) *Using misleading name—Goods—Source or origin—Place.* In connection with offer, etc., in commerce of respondents' "Badger" beer, or any other beer not brewed in Wisconsin, (1) using the term "Pride of Wisconsin", or an outline of the State of Wisconsin, or any other term, symbol, or representation indicating or implying that said beer is brewed in Wisconsin; (2) using the word "Badger", or any depiction of a badger, to designate or describe said beer when or if accompanied by any word, picture, or designation which indicates or implies that the beer so designated is brewed in Wisconsin; (3) using the word "Wisconsin" in any way to refer to, designate, or describe said beer, or using such word in connection with any such designation or description unless such word is used only as part of respondents' address in the State of Wisconsin and there is stated in immediate conjunction with respondents' name and address, in letters of equal size and conspicuousness, the locality wherein said beer is brewed or that it is not brewed in the State of Wisconsin; and (4) representing in any manner that beer which is not brewed in Wisconsin is brewed in Wisconsin; prohibited, subject to the provision, however, that part (2) hereof shall not apply to the use of the word "Wisconsin" to designate or describe an address of the respondents in the State of Wisconsin if qualified as provided in part (3) hereof. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Whitewater Brewing Company, et al., Docket 4188, December 3, 1941]

In the Matter of Whitewater Brewing Company, a Corporation, and Alex Weingart, Individually and as Manager of Whitewater Brewing Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3d day of December, A. D. 1941.

This proceeding having been heard¹ by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, the testimony and other evidence, the stipulation as to the facts, the report of the trial examiner and exceptions thereto, briefs filed by the attorney for the Commission and by the attorney for respondents, and oral arguments, and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Whitewater Brewing Company, a corporation,

its officers, directors, representatives, agents and employees, and respondent Alex Weingart, individually and as Manager of respondent corporation Whitewater Brewing Company, jointly or severally, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of their "Badger" beer, or any other beer not brewed in Wisconsin, in commerce as "commerce" is defined in the Federal Trade Commission Act, shall forthwith cease and desist from—

(1) The use of the term "Pride of Wisconsin," or of an outline of the State of Wisconsin, or any other term, symbol, or representation indicating or implying that said beer is brewed in Wisconsin;

(2) The use of the word "Badger," or any depiction of a badger, to designate or describe said beer when or if accompanied by any word, picture, or designation which indicates or implies that the beer so designated is brewed in Wisconsin: *Provided, however,* That this provision shall not apply to the use of the word "Wisconsin" to designate or describe an address of the respondents in the State of Wisconsin if qualified as provided in paragraph (3) hereof;

(3) The use of the word "Wisconsin" in any way to refer to, designate, or describe said beer, or the use of such word in connection with any such designation or description unless such word is used only as part of respondents' address in the State of Wisconsin and there is stated in immediate conjunction with respondents' name and address, in letters of equal size and conspicuousness, the locality wherein said beer is brewed or that said beer is not brewed in the State of Wisconsin;

(4) Representing in any manner that beer which is not brewed in Wisconsin is brewed in Wisconsin.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of a copy of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-9403; Filed, December 15, 1941; 11:12 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

PART 230—GENERAL RULES AND REGULATIONS SECURITIES ACT OF 1933

AMENDMENT TO RULE GOVERNING NONDISCLOSURE OF CONTRACTS AFFECTING NATIONAL DEFENSE IN CONNECTION WITH REGISTRATION STATEMENTS FILED UNDER THE ACT

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of

1933, particularly Sections 7, 10 and 19 (a) thereof, and finding it necessary and appropriate in the public interest and for the protection of investors and necessary for the execution of the functions vested in it by the Act, hereby amends § 230.581 [Rule 581] to read as follows:

§ 230.581 *Contracts affecting the national defense.* (a) Notwithstanding any particular provision in any form for registration or instruction pertaining thereto, the registrant need not file as an exhibit to the registration statement a copy of any contract as to which all the following conditions are satisfied:

(1) A copy of the contract is on file with an executive department of the United States or with the United States Maritime Commission.

(2) The registrant has been notified in writing that the executive department or the United States Maritime Commission, as the case may be, has administratively determined that the subject of such contract relates to and affects the national defense and that disclosure thereof would be contrary to the public interest.

(b) The registrant shall file as an exhibit to the registration statement, in lieu of the copy of the contract omitted pursuant to paragraph (a) of this section, a copy of each notification received from the executive department or the United States Maritime Commission with respect to the filing of copies of the contract or of information as to its terms.

(c) Notwithstanding any particular provision in any form for registration or instruction pertaining thereto, the registrant need not, in answering any item in the form for registration calling for a summary of the terms of any contract of the type described in paragraph (a) of this section, furnish any information as to any terms of the contract relating directly or indirectly to any of the following subjects as to which the registrant has been notified in writing that the executive department or the United States Maritime Commission with which a copy of the contract is on file has administratively determined that such subjects relate to and affect the national defense and that disclosure thereof would be contrary to the public interest:

(1) Quantity of equipment or materials to be constructed or supplied.

(2) Designations of type, descriptions, specifications, deliveries, tests, or guarantees of performance with respect to such equipment or materials.

(3) Nature and extent of experimental facilities, services, or information to be furnished.

(d) The answer to any item in the form for registration calling for a summary of the terms of any contract of the type described in paragraph (a) shall include a statement in approximately the following form:

Information as to certain terms of the contract(s) has been omitted pursuant to

¹ 6 F.R. 2181.

the rules and regulations of the Securities and Exchange Commission, the registrant having been notified that the _____ (naming the executive department or the United States Maritime Commission) has determined that such information relates to and affects the national defense and that disclosure thereof would be contrary to the public interest. Such notification is filed as Exhibit —.

(e) Public disclosure will not be made of the contents of any notification filed pursuant to paragraph (b) of this section, or of any portion of the information as to the terms of the contract required to be furnished notwithstanding the provisions of paragraph (c) of this section, if the Securities and Exchange Commission determines that such disclosure would impair the value of the contract and is not necessary for the protection of investors. In any case where the registrant desires the Commission to make such a determination, the procedure set forth in § 230.580 [Rule 580] shall be followed, except that there shall be filed, in lieu of the three copies of the contract or portion thereof required by paragraph (b) (1) of such rule, three copies of the notification and three copies of the information as to the terms of the contract which the registrant desires to keep undisclosed, all clearly marked "Confidential".

Effective December 15, 1941. (Sec. 7, 48 Stat. 78; 15 U.S.C. 77g; Sec. 10, 48 Stat. 81; Sec. 405, 48 Stat. 906; 15 U.S.C. 77 j; Sec. 19, 48 Stat. 85; Sec. 209, 48 Stat. 908; 15 U.S.C. 77s)

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-9415; Filed, December 15, 1941;
11:57 a. m.]

TITLE 26—INTERNAL REVENUE CHAPTER I—BUREAU OF INTERNAL REVENUE

SUBCHAPTER A—INCOME AND EXCESS PROFITS TAXES

[T.D. 5103]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

Withholding of the Tax Under Sections 143 and 144, and Information at the Source Under Section 147, Internal Revenue Code, as Amended by the Revenue Act of 1941—Regulations 103 Amended

In order to conform Regulations 103¹ [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.], relating to the income tax under the Internal Revenue Code, to section 116 of the Revenue Act of 1941 (Public Law 250, Seventy-seventh Congress), approved September 20, 1941, amending section 147 of the Internal

Revenue Code, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.147-1 the following:

SEC. 116. INFORMATION RETURNS WITH RESPECT TO FEDERAL OBLIGATIONS. (Revenue Act of 1941.)

(a) Section 147 (d) of the Internal Revenue Code (excepting interest on obligations of the United States from information requirement) is repealed.

(b) Section 147 (b) of the Internal Revenue Code is amended by striking out "and (2)" and inserting in lieu thereof "(2) in the case of payments of interest upon obligations of the United States or any agency or instrumentality thereof, and (3)".

(c) Subsections (a) and (b) of this section shall take effect upon the day after the date of the enactment of this Act.

PAR. 2. Section 19.143-1, as amended by Treasury Decision 5071, approved September 27, 1941, is further amended by inserting at the end of the first paragraph the following:

Withholding is required in the case of interest paid on obligations issued by the United States or any agency or instrumentality thereof on or after March 1, 1941. (See §§ 19.22 (b) (4)-4 and 19.22 (b) (4)-6, relating to the taxation of such interest, and § 19.143-4, relating to ownership certificates.)

PAR. 3. Section 19.143-4 is amended as follows:

(A) By inserting at the end of the first paragraph the following:

Ownership certificates shall also be filed in the case of interest paid on or after January 1, 1942, on obligations of the United States or any agency or instrumentality thereof, regardless of the date of issuance of such obligations.

(B) By inserting at the end of the third paragraph the following:

Ownership certificates shall also be filed in the case of interest paid on or after January 1, 1942, on obligations of the United States or any agency or instrumentality thereof, regardless of the date of issuance of such obligations.

(C) By striking from the fourth paragraph "debtor corporation" and inserting in lieu thereof "obligor".

(D) By changing the first sentence of the fifth paragraph to read as follows:

Ownership certificates need not be filed in the case of interest payments on obligations of a State, Territory, or any political subdivision thereof, or the District of Columbia; or the obligations of possessions of the United States.

(E) By inserting in the sixth paragraph immediately after "corporate bonds" the following: ", or (as to coupons presented on or after January 1, 1942) from obligations of the United States or of any agency or instrumentality thereof," and by striking "on line 3" from last sentence.

PAR. 4. Section 19.143-7, as amended by Treasury Decision 5046, approved May 8, 1941, is further amended as follows:

(A) By inserting at the end of the first sentence "and interest on obligations issued by the United States or any agency or instrumentality thereof on or after March 1, 1941."

(B) By inserting at the end of the first paragraph the following:

In the case of interest on obligations of the United States or of any agency or instrumentality thereof the withholding agents shall be: (1) the Commissioner of the Public Debt for interest paid by checks issued through the Bureau of the Public Debt; (2) the Treasurer of the United States for all interest paid by him, whether by check or otherwise; and (3) each Federal Reserve Bank for all interest paid by it, whether by check or otherwise.

PAR. 5. Section 19.144-1, as amended by Treasury Decision 5071, approved September 27, 1941, is further amended by inserting immediately after the first paragraph a new paragraph reading as follows:

Withholding is required in the case of interest paid on obligations issued by the United States or any agency or instrumentality thereof on or after March 1, 1941. (See §§ 19.22 (b) (4)-4 and 19.22 (b) (4)-6, relating to the taxation of such interest, and § 19.143-4, relating to ownership certificates.)

PAR. 6. Section 19.147-3 is amended by changing item (a) to read as follows:

(a) Payments prior to January 1, 1942, of interest on obligations of the United States (as to subsequent payments, see § 19.147-4).

PAR. 7. Section 19.147-4 is amended to read as follows:

§ 19.147-4 *Return of information as to certain interest.* In the case of payments of interest, regardless of amount, upon bonds and similar obligations of corporations, and interest on obligations of the United States or any agency or instrumentality thereof, the ownership certificates, when duly filed, shall constitute and be treated as returns of information and in such cases no return of information on Form 1099 is required. (See § 19.143-5.)

(This Treasury decision is issued under the authority contained in section 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., Sup. V, 62) and section 116 of the Revenue Act of 1941 (Public Law 250, Seventy-seventh Congress).)

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: December 13, 1941.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 41-9401; Filed, December 15, 1941;
11:09 a. m.]

¹ 5 F.R. 348, 437, 569.

TITLE 30—MINERAL RESOURCES
CHAPTER III—BITUMINOUS COAL
DIVISION

[Dockets Nos. A-659, A-746, A-781, A-801, A-827, A-834, A-838, A-843, A-865, and A-1031]

PART 329—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 9

ORDER REASSIGNING CERTAIN MINES TO DIFFERENT FREIGHT ORIGIN GROUPS IN THE MATTER OF THE PETITIONS OF DISTRICT BOARD NO. 9 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR COALS PRODUCED BY CERTAIN MINES OF DISTRICT 9

Negotiations for the establishment of freight rates from the shipping points of various mines in District No. 9 having been in progress at the time when the establishment of f. o. b. mine prices for their coals for all shipments except truck was prayed; and

These mines having been assigned to certain freight origin groups by the Division pending the definite establishment of such freight rates; and

The Illinois Central Railroad Company and/or the Louisville & Nashville Railroad Company now having included the points from which these mines move their coals in the normal rate group applicable from Western Kentucky mines; and

It appearing that the application of the normal group rates from these mines requires the reassignment of freight origin group numbers, as indicated below;

It further appearing that the assignment of mines in the freight origin groups shown below would cause no change in either the minimum f. o. b. mine or delivered prices on District No. 9 coals;

It is therefore ordered, That § 329.5 (Alphabetical list of code members) in the Schedule of Effective Minimum Prices for District No. 9 for All Shipments Except Truck is amended to assign the following mines to different freight origin groups as follows:

Produce.	Mine Index No.	From	To
Herman Henry.....	671	60	40
Kurz Coal Company.....	244	60	40
Charlie Langford.....	514	60	40
Lily Meade Coal & Land Co., Inc.....	245	60	40
John A. McNulty, Jr.....	246	60	40
John W. Miller.....	248	60	40
John Nation (John Nation Coal Co.).....	250	60	40
Mrs. John T. Payne.....	517	60	40
Geo. H. Rudy & Co., Inc.....	254	60	40
Nathan Scott.....	255	60	40
W. R. Smith.....	249	60	40
H. R. Vanover.....	521	60	40
George Frey (successor to L. E. Wood).....	522	60	40
Oliver Wood.....	931	60	40
Blades & Rector.....	337	90	30
C. H. Bowman.....	590	90	30
Getta Bratcher.....	669	90	30
Roy Brown.....	338	90	30
Ben Davis.....	593	90	30
Buck Dwire.....	339	90	30
Wm. H. Jarvis.....	343	90	30
Maddox & Baldwin.....	344	90	30
Woodson More (successor to Edgar Howell).....	342	90	30
G. C. Sullivan and Marvin Maddox.....	595	90	30
E. Walker.....	658	90	30
Wood & Bowman.....	347	90	30
Alvey Bros. (Bernard Alvey).....	237	70	10
Renley Tyson.....	649	80	30
O. C. Penrod.....	345	100	30
Aaron Reynolds.....	518	110	40
S. S. Wathen (S. S. Wathen Coal Co.).....	682	120	40

Producer	Mine Index No.	From	To
Marvin Wood.....	349	130	30
Austin & Leachman (E. F. Austin).....	640	140	30
Robert Scott.....	620	150	30
I. L. Rhoades.....	434	180	40

Dated: December 5, 1941.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 41-9399; Filed, December 15, 1941; 10:53 a. m.]

[Docket No. A-1108]

PART 330—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 10

ORDER CORRECTING ERROR IN ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF, DATED NOVEMBER 5, 1941, IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 10 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 10, FOR ALL SHIPMENTS EXCEPT TRUCK

An Order granting temporary relief and conditionally providing for final relief was issued in the above-entitled matter on November 5, 1941, 6 F.R. 5829. In § 330.2 (Mine index numbers) of Supplement R-I which was annexed to and made a part of that order, reference is made to the Cities of "Peoria and Pekin, Illinois, in Market Area 37."

The Cities of Peoria and Pekin, Illinois, are situated in Market Area 38. The aforementioned reference to Market Area 37 was an inadvertent error.

Now, therefore, it is ordered, That the reference to "Market Area 37" in § 330.2 (Mine index numbers) of the aforementioned Supplement R-I is hereby corrected to read "Market Area 38."

Dated: December 13, 1941.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 41-9398; Filed, December 15, 1941; 10:53 a. m.]

TITLE 31—MONEY AND FINANCE:
TREASURY

CHAPTER I—MONETARY OFFICES

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

JAPANESE NATIONALS, PAYMENTS FOR LIVING EXPENSES

General License No. 11—A Under Executive Order No. 8389, April 10, 1940, as Amended, and Regulations Issued Pursuant Thereto, Relating to Transactions in Foreign Exchange, Etc.

DECEMBER 11, 1941.

§ 131.11a *General license No. 11—A.*
 (a) A general license is hereby granted authorizing payments out of the blocked

account of any national of Japan in the continental United States for the living and personal expenses of such national and his household: *Provided*, That the total payments under this general license from all the blocked accounts of any one national shall not exceed \$100 in any one calendar month.

(b) Banks, employers and other persons making any such payments shall satisfy themselves, through affidavits or otherwise, that payments out of blocked accounts for living expenses for any one national and his household do not exceed \$100 in any one calendar month. (Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; 54 Stat. 179; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, and E.O. 8963, December 9, 1941; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 41-9378; Filed, December 12, 1941; 2:22 p. m.]

TITLE 32—NATIONAL DEFENSE

CHAPTER IX—OFFICE OF PRODUCTION MANAGEMENT

SUBCHAPTER B—PRIORITIES DIVISION

PART 933—COPPER

Conservation Order No. M-9-c as Amended December 10, 1941, Curtailing the Use of Copper in Certain Items

Section 933.4 (Conservation Order No. M-9-c) is hereby amended as follows:

The portion of sub-paragraph (a) (4) appearing before the colon is amended to read as follows:

§ 933.4 *Conservation Order No. M-9-c.*
 (a) * * *

(4) Notwithstanding the provisions of sub-paragraphs (a) (1) and (a) (2), a Manufacturer may, until March 31, 1942, complete the manufacture of any item on List "A" provided: * * *

This Amendment shall take effect immediately. (P.D. Reg. 1, Aug. 27, 1941, 6 F.R. 4489; O.P.M. Reg. 3 amended Sept. 2, 1941, 6 F.R. 4865; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; sec. (2) (a), Public. No. 671, 76th Congress, Third Session, as amended by Public. No. 89, 77th Congress, First Session; sec. 9, Public. No. 783, 76th Congress, Third Session.)

Issued this 13th day of December 1941.

DONALD M. NELSON,
Director of Priorities.

[F. R. Doc. 41-9404; Filed, December 15, 1941; 11:25 a. m.]

PART 1024—PIGS' AND HOGS' BRISTLES

General Preference Order M-51 To Conserve the Supply and Direct the Distribution of Pigs' and Hogs' Bristles

The uncertainty of future shipments of pigs' and hogs' bristles from abroad and national defense requirements for products of which imported pigs' and hogs' bristles are an essential component, have created a shortage of such bristles for defense, private account, and for export, and it is necessary and appropriate in the public interest and to promote the national defense to allocate such bristles in the manner and to the extent hereinafter in this Order provided:

Now, therefore, it is hereby ordered, That:

§ 1024.1 *General preference order M-51—(a) Applicability of Priorities Regulation No. 1.* All of the provisions and definitions of Priorities Regulation No. 1, issued by the Director of Priorities on August 27, 1941, as amended from time to time, shall be deemed a part of this Order, except insofar as they are inconsistent herewith.

(b) *Additional definitions.* For the purposes of this Order (1) "Bristles" shall mean pigs' or hogs' bristles of the lengths of three inches and longer which have been or may hereafter be imported into the United States.

(c) *Restrictions of deliveries to defense orders.* No person shall hereafter sell, deliver, or transfer title to, and no person, other than the Defense Supplies Corporation, shall buy, take title to, or accept delivery of bristles except upon defense orders, unless specifically authorized by the Director of Priorities; *Provided, however,* That sales, deliveries, and transfers of title to bristles may be made to the person importing the same, either directly or through an agent, if each person participating in the transaction shall report to the Office of Production Management on or before the close of the next business day following such participation, the amount, origin, size, color, number of cases, and identifying case numbers of any bristles so sold, delivered, or to which title has been so transferred, and the extent of such person's participation in such transaction.

(d) *Restrictions on use of bristles.* (1) No person shall hereafter boil, steam, sterilize, cut, trim, or mix any bristles, or otherwise commence the manufacture of any product of which bristles are a component part except upon defense orders, unless specifically authorized by the Director of Priorities.

(2) No person shall hereafter open any cases containing bristles or remove any bristles from cases, opened, broken or otherwise, except upon Defense Orders, unless specifically authorized by the Director of Priorities, or unless necessary to preserve such bristles from deterioration. Any action taken to prevent bristles from deterioration shall be reported

at once to the Office of Production Management, together with a complete description of the bristles so saved from deterioration, and the location thereof after such action, together with a statement of the reasons why such action was necessary. Such bristles shall not thereafter be sold, delivered or title thereto transferred unless specifically authorized by the Director of Priorities.

(e) *Appeal for relief from undue hardship.* Any person who considers that compliance with all or any provisions of this Order will work an undue or unreasonable hardship upon him, may appeal by telegraph or letter addressed to the Division of Priorities, Office of Production Management, Social Security Building, Washington, D. C., setting forth the pertinent facts and the reasons such person considers that he is entitled to relief.

(f) *Reports, records, and correspondence.* All reports to be filed, appeals and other communications concerning this Order, should be addressed to the Office of Production Management, Washington, D. C., Ref. M-51.

(g) *Effective date.* This Order shall take effect immediately. (P.D. Reg. 1, Aug. 27, 1941, 6 F.R. 4489; O.P.M. Reg. 3 Amended, Sept. 2, 1941, 6 F.R. 4865; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; sec. 2 (a), Public No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session; sec. 9, Public No. 783, 76th Congress, Third Session)

Issued this 13th day of December 1941.

DONALD M. NELSON,
Director of Priorities.

[F. R. Doc. 41-9405; Filed, December 15, 1941;
11:25 a. m.]

PART 1028—DOMESTIC COOKING APPLIANCES

General Limitation Order No. L-23 To Restrict the Production of Domestic Cooking Appliances

Whereas the demands of national defense have created a shortage of iron and steel used in the manufacture of domestic cooking appliances; action has already been taken to conserve the supply and direct the distribution of such materials to insure deliveries for defense and essential civilian requirements; and the present supply of these materials will be insufficient for defense and essential civilian requirements unless the manufacture of domestic cooking appliances is curtailed and the use of critical materials for such manufacture thereby reduced;

Now, therefore, it is hereby ordered, That:

§ 1028.1 *General limitation order No. L-23—(a) Definitions.* For the purposes of this Order:

(1) "Domestic Cooking Appliances" means gas ranges, cooking stoves, and hot plates for household use; electric ranges and cooking stoves, two and one-

half k. w. and over, for household use; coal and wood ranges and cooking stoves (not including laundry stoves), for household use; kerosene, fuel oil, and gasoline ranges, cooking stoves, and hot plates for household use; combination ranges (including kitchen heater and bungalow types) for household use; camp and trailer stoves for cooking purposes; and fuel oil conversion range burners.

(2) "Iron and Steel Used" means the aggregate weight of iron and steel contained in the finished products manufactured.

(3) "Factory Sales Value" means the aggregate value of shipments of domestic cooking appliances.

(4) "Class A Manufacturers" means those manufacturers of domestic cooking appliances whose factory sales value for the twelve months ending June 30, 1941, including both domestic sales and exports, was \$3,000,000 or more.

(5) "Class B Manufacturers" means those manufacturers of domestic cooking appliances whose factory sales value for the twelve months ending June 30, 1941, including both domestic sales and exports, was greater than \$1,000,000 but less than \$3,000,000.

(6) "Class C Manufacturers" means those manufacturers of domestic cooking appliances whose factory sales value for the twelve months ending June 30, 1941, including both domestic sales and exports, was \$1,000,000 or less.

(7) "Fuel-burning Type" of domestic cooking appliance means any type of domestic cooking appliance using as fuel any one of the following:

- (i) Gas;
- (ii) Electricity;
- (iii) Coal and wood;
- (iv) Kerosene, fuel oil, and/or gasoline;
- (v) Any combination of coal and wood or fuel oil with gas or electricity.

(b) *General restrictions.* (1) Except as provided in subparagraphs (4) and (5), during the four months' period from January 1, 1942 to April 30, 1942, inclusive, no Class A Manufacturer shall use in the production of any one fuel-burning type of domestic cooking appliance iron and steel in excess of the greater of the following two limits:

(i) Four times 58% of the monthly average of iron and steel used by him for the manufacture of such fuel-burning type of domestic cooking appliance during the twelve months ending June 30, 1941, or

(ii) That proportion of four times 64% of the monthly average of iron and steel used by him for such purposes in such period which \$3,000,000 bears to his total factory sales value of domestic cooking appliances for such base period.

(2) Except as provided in subparagraphs (4) and (5), during the four months' period from January 1, 1942 to April 30, 1942, inclusive, no Class B Man-

manufacturer shall use in the production of any one fuel-burning type of domestic cooking appliance iron and steel in excess of the greater of the following two limits:

(i) Four times 64% of the monthly average of iron and steel used by him for the manufacture of such fuel-burning type of domestic cooking appliances during the twelve months ending June 30, 1941, or

(ii) That proportion of four times 70% of the monthly average of iron and steel used by him for such purposes in such period which \$1,000,000 bears to his total factory sales value of domestic cooking appliances for such base period.

(3) Except as provided in subparagraphs (4) and (5), during the four months' period from January 1, 1942 to April 30, 1942, inclusive, no Class C Manufacturer shall use in the production of any one fuel-burning type of domestic cooking appliance iron and steel in excess of four times 70% of the monthly average of iron and steel used by him for the manufacture of such fuel-burning type of domestic cooking appliance during the twelve months ending June 30, 1941.

(4) Any manufacturer who ceased producing any fuel-burning type of domestic cooking appliance prior to November 1, 1941 may use his allowable quota of iron and steel for such fuel-burning type in the production of other fuel-burning types.

(5) Nothing in the Order shall limit, and each manufacturer is specifically authorized to use, in addition to the quota set forth above, any amount of iron and steel required in the production of domestic cooking appliances under specific contracts or orders placed by or for the account of, or to fulfill a contract with:

(i) The United States Government or any department or agency thereof;

(ii) The government of any of the following countries: The United Kingdom, Canada, and other Dominions, Crown Colonies and Protectorates of the British Empire, Belgium, China, Greece, The Kingdom of Netherlands, Norway, Poland, Russia, and Yugoslavia;

(iii) Any agency of the United States Government for delivery to, or for the account of, the government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act); or

(iv) Any public authority owning or operating a project financed in whole or in part by the United States Government or an agency thereof, and certified by the authority to be devoted in whole or in part to the housing of persons engaged in defense activity: *Provided*, That the contracts or orders

involved were obtained as a result of competitive bidding.

(6) During the four months' period from January 1, 1942, to April 30, 1942, inclusive, the average weight of iron and steel used per unit by any manufacturer in any one fuel-burning type of domestic cooking appliance (exclusive of those produced under the terms of subparagraph (5)) shall not exceed the average weight of iron and steel used per unit by such manufacturer in the production of domestic cooking appliances of such fuel-burning type during the twelve months ending June 30, 1941.

(7) Effective December 15, 1941, no manufacturer of domestic cooking appliances shall:

(i) Use any iron or steel in the production of cover tops or lids to cover the cooking surfaces of domestic cooking appliances when not in use, or

(ii) Produce or assemble any domestic cooking appliances equipped with such cover tops or lids containing any iron or steel.

(8) On and after February 1, 1942, no producer shall use any "bright work", "bright finish", metal finish, or trim containing copper, nickel, chrome or aluminum in the production of Domestic Cooking Appliances.

(9) Except as provided in subparagraph (5), during the period from the effective date of this Order to December 31, 1941, inclusive, no manufacturer's average daily use of iron and steel in the production of domestic cooking appliances of all fuel-burning types shall exceed his average daily use of iron and steel in the production of domestic cooking appliances of all fuel-burning types during the twelve months ending June 30, 1941.

(c) *Avoidance of excessive inventories.* Effective immediately manufacturers of domestic cooking appliances shall not accumulate inventories of raw materials, semi-processed materials, or finished parts for domestic cooking appliances in quantities in excess of the minimum amount necessary to maintain production of domestic cooking appliances at the rates permitted by this Order.

(d) *Records.* All persons affected by this Order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(e) *Audit and inspection.* All records required to be kept by this Order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the Office of Production Management.

(f) *Reports.* Each manufacturer to whom this Order applies shall file with the Electrical Products and Consumers' Durable Goods Branch of the Division of Civilian Supply of the Office of Production Management reports on Form PD-192 and such other reports and question-

naires as said Office shall from time to time specify. Until further notice Form PD-192 shall be filed on or before the twentieth day of each month, commencing January 20, 1942, and shall cover the preceding month or a portion thereof.

(g) *Provision for companies under common ownership.* For the purposes of this Order, a manufacturer's classification into Class "A", "B", or "C" shall depend upon the total factory sales value of that manufacturer, including in the total of such factory sales value the factory sales value of all subsidiaries, affiliates, or other companies or enterprises under common ownership or control.

(h) *Violations or false statements.* Any person who violates this Order, or who wilfully falsifies any records which he is required to keep by the terms of this Order, or by the Director of Priorities, or otherwise wilfully furnishes false information to the Director of Priorities or to the Office of Production Management, may be deprived of priorities assistance or may be prohibited by the Director of Priorities from obtaining any further deliveries of materials subject to allocation. The Director of Priorities may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35A of the Criminal Code (18 U.S.C. 80).

(i) *Appeals.* Any person affected by this Order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in his community, or that compliance with this Order would disrupt or impair a program of conversion from non-defense to defense work, may appeal on Form PD-203 to the Office of Production Management by addressing a letter to the Office of Production Management, Ref: L-23, Social Security Building, Washington, D. C., setting forth the pertinent facts and the reasons why he considers he is entitled to relief. The Director of Priorities may thereupon take such action as he deems appropriate.

(j) *Effective date.* This Order shall take effect upon the date of the issuance thereof and shall continue in effect until revoked by the Director of Priorities, subject to such amendments or supplements thereto as may be issued from time to time by the Director of Priorities. (P.D. Reg. 1, Aug. 27, 1941, 6 F.R. 4489; O.P.M. Reg. 3 Amended, Sept. 2, 1941, 6 F.R. 4865; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; sec. 2 (a), Public No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session; Sec. 9, Public No. 783, 76th Congress, Third Session)

Issued this 13th day of December 1941.

DONALD M. NELSON,
Director of Priorities.

[F. R. Doc. 41-9383; Filed, December 13, 1941;
10:50 a. m.]

PART 1032—DIRECT-CONSUMPTION SUGAR

General Preference Order M-55—To Conserve the Supply and Direct the Distribution of Direct-Consumption Sugar

Whereas it appears that the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of direct-consumption sugar for the combined needs of defense, private account and export, and it is necessary in the public interest and to promote the defense of the United States, to conserve the supply and direct the distribution of direct-consumption sugar.

Now, therefore, it is hereby ordered, That:

§ 1032.1 *General preference order M-55—(a) Applicability of Priorities Regulation No. 1.* This Order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this Order shall govern.

(b) *Definitions for the purposes of this order.* (1) "Person" means any individual, partnership, association, corporation, or other form of enterprise.

(2) "Direct - Consumption Sugar" means any grade or type of saccharine product derived from sugar beets or sugarcane, which is not to be, and which shall not be, further refined or otherwise improved in quality; except sugar in liquid form which contains non-sugar solids (excluding any foreign substance that may have been added) equal to more than 6 per centum of the total soluble solids, and except also sirup of cane juice produced from sugarcane grown in continental United States.

(3) "Primary Distributor" means any person who manufactures or imports direct-consumption sugar or the agent of any such person.

(4) "Receiver" means any person who buys or accepts delivery of direct-consumption sugar from any Primary Distributor.

(c) *Restrictions upon receivers.* (1) Unless specifically authorized by the Director of Priorities, no Receiver shall:

(i) Accept delivery in December 1941 of any direct-consumption sugar in excess of the amount delivered to him in December 1940; or, in any calendar month after December 1941, accept delivery of any direct-consumption sugar in excess of the amount delivered to him in the corresponding calendar month of 1940; or

(ii) Accept delivery of any direct-consumption sugar if, upon acceptance of such delivery, the amount of direct-consumption sugar in his possession or under his control shall exceed a thirty days' supply based upon his use or resales during the thirty day period commencing two years before such acceptance of delivery: *Provided*, That there shall be deducted from the maximum supply thus

permitted the amount, if any, by which the total of his use or resales from December 1, 1941, to the date of acceptance of such delivery exceeds his total use or resales during the corresponding period beginning and ending two years before, except that to the extent such corresponding period includes the whole or any part of December, 1939, there shall be used instead the figures for the whole or such part of December, 1940; or

(iii) Accept delivery after January 1, 1942, of any direct-consumption sugar unless before accepting the delivery he files with or mails to the Office of Production Management a report on Form PD-206, or such other forms as may be required from time to time by the Director of Priorities.

(2) Notwithstanding the limitations of paragraph (c) (1), a Receiver may accept delivery of the smallest number of carload lots which includes the amount permitted by paragraph (c) (1).

(3) In addition to deliveries permitted to be accepted by the foregoing limitations, any Receiver may accept delivery of sufficient direct consumption sugar to enable him to fill any actual order by, or contract with:

(i) The War or Navy Departments

(ii) The government of any of the following countries; the United Kingdom, Canada, and other dominions; Crown colonies and protectorates of the British Empire, Belgium, China, Greece, the Kingdom of the Netherlands, Norway, Poland, Russia, and Yugoslavia;

(iii) Any agency of the United States Government for materials, supplies or equipment to be delivered to or for the account of any country listed above, or any other country including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." (Lend-Lease Act)

(4) Except as specifically authorized by the Office of Production Management or for the purpose of filling the actual orders or contracts referred to in paragraph (3) above, No Receiver who, on the effective date of this Order, has in his possession or under his control, two carloads or more of direct-consumption sugar in excess of a sixty-days' supply, shall use or resell any excess over such sixty days' supply. Such sixty days' supply shall be determined on the basis of his use or resales during the corresponding period beginning two years before the effective date of this Order, except that to the extent such corresponding period includes any part of December, 1939, there shall be used instead the figures for such part of December, 1940.

(5) Every Receiver, who, on the effective date of this Order, has in his possession or under his control, two carloads or more of direct-consumption sugar in excess of a sixty days' supply determined as provided in paragraph (c) (4) above shall, on or before the close of business on the 15th day of January, 1942, report

to the Office of Production Management, on a form to be prescribed therefor, the exact quantity of such excess over a 60 days' supply. Failure to make such a report on the part of any Receiver shall be deemed a representation to the Government, subject to the penalties of Section 35 (A) of the U. S. Criminal Code (18 U.S.C. 80) that such Receiver has no such excess.

(d) *Restrictions on delivery by primary distributors.* Unless specifically authorized by the Director of Priorities and except as provided in paragraph (e) hereof, no Primary Distributor shall deliver direct-consumption sugar to any person (1) with knowledge or reason to believe that such person is not entitled to accept delivery thereof pursuant to paragraph (c) of this Order; or (2) unless (if such delivery is made after January 1, 1942) such person files a representation in writing with him in substantially the following language manually signed by a responsible officer:

The undersigned has filed with the office of Production Management on the _____ day of _____, 1942, in connection with the delivery hereby applied for of direct-consumption sugar, the report(s) required by (c) (i) (iii) of General Preference Rating Order M-55. I represent that the facts therein stated are true to the best of my knowledge, information, and belief.

Name _____

By _____

(Signature)

(e) *Exceptions.* Notwithstanding any other provision of this Order, deliveries of direct-consumption sugar may be made without restrictions:

(1) To Defense Supplies Corporation
(2) To the War and Navy Departments

(3) To the government of any of the following countries: the United Kingdom, Canada, and other dominions; Crown colonies and protectorates of the British Empire, Belgium, China, Greece, the Kingdom of the Netherlands, Norway, Poland, Russia, and Yugoslavia.

(4) To any Agency of the United States Government for materials, supplies, or equipment to be delivered to, or for the account of, the government of any country listed above or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(f) *Appeal.* Any person affected by this Order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may apply for relief to the Office of Production Management by telegram or letter setting forth the pertinent facts and the reason such person considers that he is entitled to relief.

(g) *Violations.* Any Person who willfully violates any provision of this Order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this Order may be prohibited from receiving further deliveries of any Material subject to allo-

cation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under Section 35 (A) of the Criminal Code (18 U. S. C. 80).

(h) *Communications to Office of Production Management.* Reports to be filed, appeals, and other communications concerning this Order, should be addressed to the

Office of Production Management
Washington, D. C. Ref: M-55

(i) *Effective date, and termination.* This Order shall take effect immediately; and shall continue in effect through December 31, 1942 unless revoked, amended, or modified prior thereto. (P.D. Reg. 1, Aug. 27, 1941, 6 F.R. 4489; O.P.M. Reg. 3 Amended, Sept. 2, 1941, 6 F.R. 4865; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; sec 2 (a), Public No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session; sec. 9, Public No. 783, 76th Congress, Third Session)

Issued this 13th day of December 1941.

DONALD M. NELSON,
Director of Priorities.

[F. R. Doc. 41-9406; Filed, December 15, 1941;
11:26 a. m.]

CHAPTER XI—OFFICE OF PRICE ADMINISTRATION

PART 1306—IRON AND STEEL

PRICE SCHEDULE NO. 49—RESALE OF IRON OR STEEL PRODUCTS

Prices in effect on April 16, 1941, have been specified as maximum prices for sale of iron or steel products by producers, under Price Schedule No. 6, as revised on June 21, 1941. A large proportion of the iron or steel products used in industry passes through the hands of jobbers, dealers, and distributors of various kinds. In some cases, these middlemen have charged exorbitant and unwarranted prices. It is therefore essential that the price charged by these persons, as well as the price charged by the producer, be kept within reasonable limits. To protect both the consumer and the jobbers, dealers, and other distributors who have maintained a reasonable price level, it has been determined by the Office of Price Administration that a Price Schedule covering all resale of iron or steel products should be issued. April 16, 1941, has been selected as the base date, since the maximum price at which the reseller may purchase from a producer has been established as of that date. Pending further investigation of transportation problems, maximum prices for Pacific Coast and Gulf Port prices are being specified.

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

§ 1306.151 *Maximum prices for the resale of iron or steel products.* On and

after December 15, 1941, regardless of the terms of any contract of sale or purchase, or other commitment, except as provided in § 1306.154 hereof, no seller as defined in § 1306.157 (b) of this Schedule shall sell, offer to sell, deliver or transfer iron or steel products, and no person shall buy, offer to buy, or accept delivery of iron or steel products at prices higher than the maximum prices set forth in Appendix A, incorporated herein as § 1306.159.*

*§§ 1306.151 to 1306.161, inclusive, issued pursuant to authority contained in Executive Orders Nos. 8734, 8875, 6 F.R. 1917, 4483.

§ 1306.152 *Less than maximum prices.* Lower prices than those set forth in Appendix A may be charged, demanded, paid or offered.*

§ 1306.153 *Evasion.* The price limitations set forth in this Schedule shall not be evaded either by direct or indirect methods in connection with a purchase, sale, barter, delivery or transfer of iron or steel products alone or in conjunction with any other material, or by way of any commission, service, transportation, or other charge, or by way of discount, premium, or other privilege, or by way of tying agreement or other trade understanding, or otherwise.*

§ 1306.154 *Records and reports—(a) Records of sales, inventory and orders.* Every person making sales or purchases for resale of iron or steel products after December 15, 1941, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of (1) each such purchase or sale, showing the date thereof, the name and address of the buyer or the seller, the price paid on each purchase for resale and received on each resale, the quality and grade, the sizes, and the quantity of each product purchased or sold, and (2) the tonnage of iron or steel products, on hand and on order, classified by product, in a manner similar to that of Form PD 83 as issued by the Office of Production Management. A copy of Form PD 83 may be had upon request by applying to the Office of Production Management.

(b) *Filing prices.* On or before December 31, 1941, every seller of iron or steel products having annual gross sales of \$50,000 or more during the year ending December 31, 1941, shall file in duplicate with the Office of Price Administration, Washington, D. C., his prices circulated to his salesmen or customers in effect on April 16, 1941, or customarily quoted and charged on that date, including extras lists, deduction lists, charges, and discounts. Every seller shall file individual price sheets for each warehouse or branch, showing city and country prices, wherever such exist; and he shall indicate the area or cities to which such prices apply. In the event that any prices so filed exceed the maximum prices established by this Schedule, the seller shall, after the effective date of this Schedule, eliminate this excess and charge a maximum price not in ex-

cess of the maximum prices established herein. Every seller shall state with regard to his April 16, 1941 price for each product, the range of sizes, types or cross-section covered by each price submitted; trade names, if any, and prices charged; prices for each base quantity; products sold in various quantity brackets, and prices for each bracket. If the person is a seller without prices as of April 16, 1941, he shall file a list of his inventory as of December 1, 1941, and prices he proposes to charge for such products. These prices shall not be in excess of the maximum as established by this Schedule. In cases where special prices or discounts are given to certain classes of customers these shall be indicated. Additional filing requirements from Pacific Coast and Gulf Port sellers, and for carload business, are included in other sections of this Schedule. Persons affected by this Schedule shall submit such other reports to the Office of Price Administration as it may from time to time require.*

§ 1306.155 *Enforcement.* In the event of refusal or failure to abide by the price limitations, record requirements, or other provisions of this Schedule, or in the event of any evasion or attempt to evade the price limitations or other provisions of this Schedule, the Office of Price Administration will make every effort to assure (a) that the Congress and the public are fully informed thereof; (b) that the powers of Government, both state and federal, are fully exerted in order to protect the public interest and the interests of those persons who comply with this Schedule; (c) that full advantage will be taken of the cooperation of the various political subdivisions of state, county, and local governments by calling to the attention of the proper authorities, failures to comply with this Schedule which may be regarded as grounds for the revocation of licenses and permits; and (d) that the procurement services of the Government are requested to refrain from selling to or purchasing from those persons who fail to comply with this Schedule. Persons who have evidence of the offer, receipt, demand or payment of prices higher than the maximum prices, or of any evasion or effort to evade the provisions hereof, or of speculation, or manipulation of resale prices of iron or steel products, or of the hoarding or accumulating of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration.*

§ 1306.156 *Modification of the schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof or exception therefrom: *Provided,* That no applications will be considered unless filed by persons complying with this Schedule and other Schedules issued by the Office of Price Administration. Such applications shall be submitted in a separate letter captioned "Application for Relief from Price

Schedule No. 49, Resale of Iron and Steel Products," and shall not be contained in any filing of information or prices required to be filed under this Schedule.*

§ 1306.157 *Definitions.* When used in this Schedule, the term:

(a) "Person" means an individual, partnership, association, trust, corporation or other business entity, including trustees in bankruptcy and receivers;

(b) "Seller" means any person who resells iron and steel products to any other person, whether as distributor, jobber, dealer, agent, broker, merchant, exporter, including any person who acts as an intermediary in any connection with such resale, or otherwise: *Provided, That:*

(i) The term shall not include producers of iron or steel products whose activities are covered by Price Schedule No. 6—Iron and Steel Products, except insofar as such producers operate warehouses, branches, or affiliates engaged in the redistribution of iron or steel products. The operation by producers of mill depots for the purpose of distributing iron or steel products manufactured by such producers shall not be considered a resale within the terms of this Schedule, but is a sale covered by Price Schedule No. 6.

(ii) "Seller" as defined herein shall not include retail merchants who sell iron or steel products in quantities smaller than those dealt in or on which prices are quoted by established jobbers, dealers, or distributors.

(c) "Iron or steel product" includes all iron or steel ingots, all semi-finished iron or steel products, all finished hot rolled or cold rolled iron or steel products, and all iron or steel products further finished (by galvanizing, enameling, plating, coating, drawing, extruding, or otherwise) in a manner commonly performed at steel works or rolling mills, and shall include all products listed in the table of Capacity and Production for Sale contained in the Annual Statistical Report of the American Iron and Steel Institute for 1939, pages 42-43: *Provided, That* the term shall not include pig iron. Any iron and steel products as defined above subject to the operations of pickling, cutting by machine or flame, bending and threading of pipe, shall be considered a part of this definition of iron or steel products. This definition includes primes, seconds, wasters and all other off-grade products including used products. The term "iron or steel products" includes concrete reinforcing bars, and structural steel shapes, but not the fabrication thereof except as this Schedule is otherwise amended;

(d) "Maximum delivered price" means the combination of all factors entering into the final charge to the customer, including base prices, transportation and delivery charges and all extras, deductions and other terms of sale;

(e) "Published listed price" or "published list price" means a price for resale of iron or steel products publicly circulated in the trade, and is confined

to price lists issued for the cities named and the persons stated in Appendix B, incorporated herein as § 1306.160. If not otherwise stated, the term is meant to apply only to price lists effective as of April 16, 1941. In any "listed city" in which there are several such published listed prices for any product or quantity, the highest of such prices shall be the published listed price herein referred to;

(f) "Dislocated tonnage" means any shipment to which the terms of § 1306.159 (f) of this Schedule are applicable;

(g) "Governing basing point" means the basing point of producers of iron or steel products included in Price Schedule No. 6, which results in the lowest delivered price to the mill customer;

(h) "Mill base price" means the price at the basing point which governs a sale from a mill by producers of iron or steel products included in Price Schedule No. 6;

(i) "Listed city" means any city named in Appendix B;

(j) "Unlisted city" means any city or place other than those in Appendix B;

(k) "Lowest combination" means the lowest delivered price that is the result of a combination of (1) country price of any seller located in any listed city and (2) less-than-carload freight from such listed city;

(l) "Freight as customarily charged" means that type of freight, either all-rail, rail and water, or all water which is customarily used and which may be used to arrive most economically at the place of delivery.

(m) "Mixed carload" means a bona fide mixed carload, containing several items of different kind, size, gauge, and quality, not to be less than, without limiting the generality of the foregoing, five different items of substantial size;

(n) "Pacific Coast" means any place within the States of California, Oregon, or Washington;

(o) "Gulf Ports" means all cities and other places located on or near the Gulf of Mexico in the States of Texas, Louisiana, Mississippi, Alabama, and Florida.*

§ 1306.158 *Effective date of the schedule.* This Schedule shall become effective on December 15, 1941.*

Issued this 13th day of December 1941.

LEON HENDERSON,
Administrator.

§ 1306.159 *Appendix A; domestic and export maximum prices for iron and steel products—*(a) *Maximum delivered prices in a city or free delivery area in which the seller is located.* (1) In any city or free delivery area in which the seller is located, the maximum delivered price for any iron or steel products shall be the delivered price which was or would have been charged by the seller on April 16, 1941. It is provided however:

(i) That in cities designated in Appendix B as listed cities, the maximum delivered prices shall not exceed the published listed prices, as set out in Appen-

dix B, in effect as of April 16, 1941, for that city or free delivery area.

(ii) That in unlisted cities, the maximum delivered price shall not exceed the lowest delivered price that is the result of a combination of (a) country prices of any seller located in any listed city, and (b) less-than-carload freight from such listed city.

(2) (i) Extras which were customarily charged as of April 16, 1941, may be computed in the maximum delivered price. Extras listed but not customarily charged as of April 16, 1941, shall not be charged.

(ii) Deductions customarily granted as of April 16, 1941, shall be deducted in computing the maximum delivered price.

(3) Persons not having prices shall compute maximum delivered prices in accordance with paragraph (c) of this section.

(b) *Maximum delivered prices in places other than the city or free delivery area in which the seller is located.*

(1) In any place other than a city or free delivery area in which the seller is located, the maximum delivered price for that seller shall be the lowest delivered price that is the result of a combination of (i) country price of any seller located in any listed city and (ii) less-than-carload freight from such listed city. It is provided, however, that in no case shall the maximum delivered price on a sale for delivery into a listed city exceed published listed prices, as set out in Appendix B, in effect as of April 16, 1941, for that city or free delivery area.

(c) *Maximum delivered prices for persons without prices.* (1) In the city or free delivery area in which such persons are located, the maximum delivered price for persons having no prices for the product or the quantity being sold shall be:

(i) In listed cities, the maximum delivered price shall not exceed the published listed prices, as set out in Appendix B, for that city or free delivery area.

(ii) In unlisted cities, the maximum delivered price shall not exceed the lowest delivered price that is the result of a combination of (a) country prices of any seller located in any listed city, and (b) less-than-carload freight from such listed city.

(2) If a person not having prices sells for delivery into a place other than the city or free delivery area in which he is located, the maximum delivered price shall be set in conformance with paragraph (b) of this section.

(3) Any person who for any reason is unable to set a maximum delivered price in accordance with the terms of this Schedule may apply to the Office of Price Administration to set maximum delivered prices for the sale or series of sales in question.

(d) *Modification of certain April 16, 1941 prices.* (1) Any seller located in a listed city or free delivery area to which

published listed prices are applicable, if his prices as of April 16, 1941 were lower than such published listed prices, may make application to the Office of Price Administration to increase the maximum delivered price applicable to him in order to correspond to the published listed prices applicable to such *listed city* or free delivery area.

(2) The Office of Price Administration may at its discretion list additional cities as *listed cities*, and will receive applications by sellers located in *unlisted cities* requesting that such *unlisted cities* be made *listed cities*, and that the prices of such sellers in effect as of April 16, 1941, be published as the effective maximum delivered prices for such cities.

(e) *Maximum prices for exports of iron or steel products.* The maximum prices which may be charged for any iron or steel products sold for export to any place outside the territorial limits of the United States, shall be the domestic prices, as established in paragraphs (a), (b), (c), and (j) of this Schedule, f. a. s. the port from which export is to be made: *Provided*, That on shipments for export of less-than-carload quantities, a mark-up of \$3.00 per net ton may be added if sold by an export broker. Extras which were customarily charged as of April 16, 1941, may be computed in the maximum delivered price. Extras listed but not customarily charged as of April 16, 1941, shall not be charged. In the case of certain products requiring special packing, such extra charges shall be not more than the standard published mill extras. Deductions customarily granted on April 16, 1941, shall be deducted in computing the maximum price under this paragraph.

(f) *Maximum delivered prices for dis-located tonnage.* In case of shipments by a seller of 150 miles or more, and if shipment is through or into any *listed city*, or substantially in the same direction and past any *listed city*, or in case of any shipments by a seller of not less than 350 miles, the maximum delivered price for any iron or steel product so shipped may be increased by the excess of (1) the country price of the seller plus less-than-carload freight as customarily charged less 15¢ per cwt., above (2) the maximum delivered price for the place of delivery, as computed in paragraph (b) of this section.

(g) *Maximum delivered prices on the Pacific Coast and for Gulf Ports; special filing provisions.* (1) Maximum delivered prices on the Pacific Coast shall be as provided in paragraphs (a), (b), (c), and (j) of this section: *Provided*, That:

(i) On the following products and no others, the sum of 35¢ per cwt. may be added to the maximum delivered price as established in paragraphs (a), (b), (c), and (j) of this section: plates, universal and sheared, carbon; hot rolled sheets, carbon; hot rolled bars and small shapes, carbon; galvanized, galvanized, enameling, and galvanized corru-

gated sheets; floor plates; hot rolled strip, carbon; and structural shapes, carbon.

(ii) Pending analysis of data to be submitted under provisions of this Schedule, on standard pipe, seamless pipe, water well casing, large O. D. pipe, line pipe, wrought iron pipe, oil country tubular goods, and boiler and other pressure tubes in all cases where the rail and water rates to Pacific Coast ports are referred to in § 1306.159 (i) (1, 2, 3, 4, and 5) below these shall be disregarded and the maximum delivered prices on sales of above products at Pacific Coast points shall be the lowest prices resulting from that combination of base prices in effect April 16, 1941, and published all-rail carload freight from that mill basing point which gives the lowest delivered price to destination of customer plus such mark-up as is allowed for each product as set forth below in (i).

(iii) Pending analysis of data to be submitted under provisions of this Schedule, sellers located in Gulf Ports shall have a maximum delivered price as established in paragraphs (a), (b), (c), and (j) of this section based on sellers' prices in effect as of April 16, 1941.

(2) Information from Pacific Coast and Gulf Port sellers is required to be filed with the Office of Price Administration on Forms 149: 1 and 149: 2, respectively. Copies of Forms 149: 1 and 149: 2 may be had upon request by applying to the Office of Price Administration.

(h) *Maximum delivered prices for specific wire products.* (1) Notwithstanding the provisions of any other section of this Schedule, the maximum delivered price of less-than-carload quantities of standard wire nails, annealed smooth wire, and galvanized smooth wire, in the city or free delivery area in which the seller is located, shall be the aggregate of:

(i) Mill straight carload price (after deducting the regular jobber allowance of 15¢ per cwt.),

(ii) Carload freight from mill Basing Point to warehouse, and

(iii) One of the following: for standard wire nails, 50¢ per cwt.; for annealed smooth wire, 60¢ per cwt.; for galvanized smooth wire, 68¢ per cwt.

(2) The maximum delivered price of less-than-carload quantities of standard wire nails, annealed smooth wire, and galvanized smooth wire at any other place, shall be the lowest delivered price that is the result of a combination of (a) the price (as computed above) of any seller located in any *listed city* and (b) less-than-carload freight from such *listed city*.

(3) Extras charged by jobbers and dealers on merchant wire products shall be the same as regular published mill extras in effect as of April 16, 1941. Deductions customarily granted as of April 16, 1941, shall be deducted in computing the maximum delivered price.

(4) The maximum delivered prices for all other merchant wire products shall be computed as provided in paragraphs (a), (b), (c) and (j) of this section.

(i) *Maximum delivered prices for pipe and tubular products.* Notwithstanding the provisions of any other section of this Schedule, the maximum delivered prices for the following types of iron and steel pipe and tubular products shall be as follows. Standard published mill extras which were charged as of April 16, 1941, may be computed in the maximum delivered price provided that where extras were listed but not customarily charged as of April 16, 1941, they shall not be charged. Deductions customarily granted as of April 16, 1941, shall be deducted in computing the maximum delivered price.

(1) For standard pipe, seamless pipe, water well casing, large O. D. pipe, and line pipe: the lowest price resulting from that combination of flat basing card discounts of the National Tube Company in effect April 16, 1941, and published all-rail carload freight from Basing Point to destination of customer (except to Pacific Coast points where the rail and water rate is applicable)¹ plus:

(i) 25% on standard pipe, reamed and drifted pipe and line pipe 6 inches and smaller, both black and galvanized, and

(ii) 30% on all larger sizes of standard pipe and line pipe, also all sizes of extra strong and double extra strong, both black and galvanized, and all sizes of water well casing and large O. D. pipe.

(2) For wrought iron pipe: the price resulting from combination of resale discounts for sales from distributors' stocks as shown on A. M. Byers Company card in effect April 16, 1941, and published all-rail carload freight from Pittsburgh to destination of customer (except to Pacific Coast points where the rail and water rate is applicable).¹

(3) For oil country tubular goods: the lowest price resulting from that combination of Basing Point prices as published by Oil Well Supply Co., distributor for National Tube Company, in effect on April 16, 1941, (Oil Country Tubular Goods Price List No. 24) and carload freight or transportation charges to destination of customer as computed in National Tube Co. Freight Book No. 1.¹

(4) For boiler and other pressure tubes: the lowest price resulting from that combination of Basing Point prices in each quantity bracket of the National Tube Company Price list for sales to consumer in effect April 16, 1941, and less-than-carload freight from Basing Point to destination of customer (carload freight shall be charged on shipments of 40,000 lbs. and over).¹

(5) For cold drawn seamless and other mechanical tubing: the prices in effect

¹ Special provisions for maximum delivered prices at Pacific Coast points for iron and steel pipe and tubular products are contained in paragraph (g) (ii) of this section.

and actually charged as of April 16, 1941, by the exclusive distributors of the National Tube Co., covering all sections of the country, shall be the maximum prices to be charged in areas served by each such distributor.

(j) *Maximum delivered prices for tool steel.* Notwithstanding the provisions of any other section of this Schedule, the maximum delivered price for Tool Steel shall be the prices listed in the published price list of Crucible Steel Company, effective on April 16, 1941. The locations of warehouses of the Crucible Steel Company are set forth in Appendix B of this Schedule.

(k) *Maximum delivered prices for shipments in carload quantities, and in certain specific cases.* (1) Prices in excess of the mill prices provided under Price Schedule No. 6 shall not be charged by any person for:

(i) Direct shipments from producers or converters of any quantity of iron or steel products; or

(ii) Shipments of any quantity diverted from delivery to warehouses; or

(iii) Shipments of any quantity not put through the operations commonly known as the warehousing of iron or steel products.

(2) Notwithstanding the provisions of any other section of this Schedule, shipments of mixed carloads of 40,000 lbs. or more out of warehouse stock, which shipments are made up of a variety of iron and steel items (such as plates, shapes, bars, sheets, special or otherwise, strip; carbon, alloy and stainless) of different types, cross-sections, qualities, or classes, shall not be sold at a price in excess of the maximum delivered price for a 500 lb. quantity minus a discount of not less than \$7.00 per net ton.

(3) Mixed carloads of Merchant Wire Products shall be sold at maximum prices not exceeding the published mill base prices established under Price Schedule 6. (Regular jobber allowances given by mills may be retained by seller of such mixed carload.)

(4) Mixed or straight carloads of 40,000 lbs. or more of pipe and tubular products, including boiler and other pressure tubes and mechanical tubing, shall be sold at maximum delivered prices not to exceed published mill carload prices of such products established by Price Schedule 6: *Provided*, That the above provision shall not apply to sales of Oil Country Tubular Goods out of distributor's stocks, but shall apply to direct mill shipment.

(5) Notwithstanding the provisions of any other section of this Schedule, on shipments of 40,000 lbs. or more out of seller's stock not falling within paragraph (2) of this section, the maximum delivered price shall be the mill price as established under Price Schedule No. 6: *Provided*, That on presentation to the Of-

fice of Price Administration of a certificate that such shipment out of seller's stock has been specifically authorized by the Office of Production Management, a maximum delivered price will be established by the Office of Price Administration.

(6) Notwithstanding the provisions of any other section of this Schedule, in the case of any shipment of any quantity out of a warehouse stock which has been specifically allocated to the warehouse by the Office of Production Management, and has been there held for reshipment at the direction of the Office of Production Management for use in defense repairs or other defense purposes, the maximum delivered price shall be fixed by the Office of Price Administration upon application for the setting of such maximum delivered price, which application shall contain a sworn statement setting forth the source of such iron or steel products, the Office of Production Management rating or certificate, and the destination to which the Office of Production Management has directed that shipment be made.

(7) Records on any sales of 40,000 lbs. or more of any iron or steel products to any single customer in any calendar month shall be filed with the Office of Price Administration on or before the 15th day of the next succeeding month. This filing shall include a sworn statement of the names and addresses of the buyers, the products and quantities sold, and the price for each quantity.

(l) *Maximum delivered prices for seconds, wasters, off-grade and used products.* The maximum delivered price for all off-grade, seconds, wasters and used iron or steel products after such shearing, cutting, straightening, bending or pickling, as may be necessary, shall not exceed the maximum delivered price for comparable iron or steel products of prime quality.

(m) *General provisions.* (1) Delivery and other services of all kinds, credit or other discounts, all freight absorptions (except as otherwise specified in this Schedule), all allowances, and all other privileges in effect on April 16, 1941, shall be continued without diminution or extra charge.

(2) Brokers, agents, consignees, distributors without stocks, and other persons acting in sales transactions on behalf of owners of iron or steel products other than producers, may continue to charge their customary commissions in effect on April 16, 1941: *Provided*, That in such cases where commissions are to be added to the selling price, the result shall not exceed the maximum delivered prices as established by this Schedule.*

§ 1306.160 Appendix B; Listed cities—

(a) *Listed cities or free delivery areas in which sellers stock heavy steel line and merchant wire products.*

Baltimore	Scully Steel Products.
Birmingham	Southern Steel Co.
	Moore-Handley Co. ¹
Boston	Jos. T. Ryerson & Son.
	Scully Steel Products.
	Wheeling Corrugating Co. ¹
	Wheelock-Lovejoy & Co.
Buffalo	Jos. T. Ryerson & Son.
	Wheeling Corrugating Co. ¹
	Wheelock-Lovejoy & Co.
Chicago	Jos. T. Ryerson & Son.
	Scully Steel Products.
	Jones & Laughlin Steel Corp.
	A. M. Castle & Co.
	Hibbard Spencer Bartlett & Co. ¹
	Wheelock-Lovejoy & Co.
Cincinnati	Jos. T. Ryerson & Son.
	Jones & Laughlin Steel Corp.
	The H. Belmer Co. ¹
	Wheelock-Lovejoy & Co.
Cleveland	Jos. T. Ryerson & Son.
	Scully Steel Products.
	The Geo. Worthington Co. ¹
	Wheelock-Lovejoy & Co.
Detroit	Jos. T. Ryerson & Son.
	Jones & Laughlin Steel Corp.
	Buhl Sons Co. ¹
	Wheelock-Lovejoy & Co.
Houston	Earle M. Jorgensen Co.
	F. W. Heitmann & Co. ¹
Indianapolis	W. J. Holliday Co.
Los Angeles	A. M. Castle & Co.
	Earle M. Jorgensen Co.
	Ducommun Metals & Supply Co.
Memphis	Jones & Laughlin Steel Corp.
Milwaukee	Jos. T. Ryerson & Son.
	Frankfurth Hardware Co. ¹
New Orleans	Jones & Laughlin Steel Corp.
	Cahn Bros. & Ryder, Inc. ¹
New York	Jos. T. Ryerson & Son.
	Scully Steel Products.
	Jones & Laughlin Steel Corp.
	Wheelock-Lovejoy & Co.
Norfolk	Eagleston-Parke Inc.
Omaha	Drake-Williams-Mount Co.
Philadelphia	Jos. T. Ryerson & Son.
	Wheeling Corrugating Co. ¹
Pittsburgh	Scully Steel Products.
	Jones & Laughlin Steel Corp.
	C. A. Turner Co. ¹
St. Louis	Jos. T. Ryerson & Son.
	Scully Steel Products.
	Wheelock-Lovejoy & Co.
St. Paul	Scully Steel Products.
San Francisco	A. M. Castle & Co.
	Earle M. Jorgensen Co.
Seattle	A. M. Castle & Co.

¹ The prices of these firms are published list prices only as to the merchant wire product line.

(b) *Listed cities or free delivery areas in which crucible steel company warehouse stocks of tool steel are located.* Atlanta; Boston; Buffalo; Chicago; Cincinnati; Cleveland; Denver; Detroit; Indianapolis; Los Angeles; Milwaukee; Newark; New York; Philadelphia; Providence; St. Louis; San Francisco; Seattle; Springfield.

(c) *Listed cities or free delivery areas in which National Tube Company's exclusive distributors of mechanical tubing are located.*

Cambridge	Austin-Hastings Co.
Los Angeles	Ducommun Metals & Supply Co.
New York	Peter A. Frasse & Co., Inc.
Buffalo	
Philadelphia	
Cincinnati	E. K. Morris & Co., Inc.
Chicago	
Detroit	
Indianapolis	C. A. Roberts Co.
St. Louis	

Cleveland----- Strong, Carlisle & Ham-
mond.
Atlanta----- J. M. Tull Metal Supply Co.
Pittsburgh----- Williams & Co.

§ 1306.161 *Appendix C—List of prod-
ucts.* The following iron and steel
products and their alloys (including
stainless) are "Iron or Steel Products" as
defined in Price Schedule No. 6. They
are therefore iron or steel products as
defined in this Schedule covering resale
of iron or steel products. This list does
not limit the inclusiveness of the defini-
tion. As interpretations are made, this
list will be supplemented from time to
time.

Ingots.
Blooms.
Billets.
Slabs.
Sheet Bars.
Skelp.
Tube rounds.
Muck bar.
Forging rounds.
Bars and small shapes, new billet and rail
steel:
Merchant.
Cold finished—carbon.
Concrete reinforcing.
Alloy-hot rolled cold finished.
Hoops and baling bands.
Tool steel bars (rolled and forged).
All plates, sheared and universal.
Armor plate—forged, cast, rolled and other-
wise.
Shapes including bearing piles.
Sheet piling and accessories.
Rails:
Standard (over 60 lbs.).
Light (under 60 lbs.).
All other (including girder, and guard).
Track materials including:
Tie plates.
Tie rods.
Track spikes—regular cut and screw.
Splice bars (joint bars, angle bars, rail
joints, and fish plates).
Track bolts, nuts.
Ties.
Axles, car wheels, or any combination, rolled
or forged.
Pipe and tube—plain, threaded and coupled
(including conduit spiral welded pipe,
and mechanical tubing):
Butt-weld.
Lap-weld.
Electric-weld.
Gas-weld.
Seamless.
Hammerweld.
Black Plate.
Tin plate:
Hot rolled.
Cold reduced.
Sheets and strip, including plain and cor-
rugated; and roofing and siding of all
types:
Hot rolled.
Cold rolled.
Galvanized.
Ternes.
Enameling.
Electrical.
All other.
Wire rods.
Wire—drawn (including manufacturer's and
merchant).
Wire belting.
Bale ties and buckle wire.
Wire nails, staples, tacks.
Twisted barbed and barbed wire.
Woven wire fencing.
Chain link fencing.
Poultry and animal farm netting.
Woven wire cloth—insect, hardware and all
other.
Wire rope, wire strand, and special cords
such as aircraft.
Wire clothes line, twisted and solid.
Wire hoops—twisted or welded.
Communications and power transmission
wire.

Welded or woven wire fabric for reinforcing.
Posts—fence and sign and all other.

[F. R. Doc. 41-9387; Filed, December 13, 1941;
11:41 a. m.]

PART 1351—FOODS AND FOOD PRODUCTS
AMENDMENT NO. 1 TO PRICE SCHEDULE NO.
50—GREEN COFFEE¹

Paragraph (f) of § 1351.1 is amended
to read as follows:

§ 1351.1 *Maximum prices for green
coffee.*

(f) The above prices shall be the max-
imum prices for all transactions except
for futures contracts traded on the New
York Coffee and Sugar Exchange. For
such contracts the maximum prices shall
be the closing prices on the Exchange as
of December 8, 1941, for all the months
then traded in as follows:

Santos No. 4:	Cents
December-----	12.83
1942	
March-----	12.38
May-----	12.93
July-----	12.97
September-----	13.00
Rio No. 7:	
December-----	8.26
1942	
March-----	8.55
May-----	8.65
July-----	8.75
September-----	8.85

(Executive Orders Nos. 8734, 8875, 6
F.R. 1917, 4483) Issued this 13th day
of December 1941.

LEON HENDERSON,
Administrator.

[F. R. Doc. 41-9386; Filed, December 13, 1941;
11:41 a. m.]

PART 1351—FOODS AND FOOD PRODUCTS
AMENDMENT NO. 1 TO PRICE SCHEDULE NO.
51—COCOA BEANS AND COCOA BUTTER¹

Paragraph (b) of § 1351.51 is amended
to read as follows:

§ 1351.51 *Maximum prices for cocoa
beans and cocoa butter.*

(b) The maximum prices for the vari-
ous grades of cocoa beans and cocoa but-
ter shall be the following prices:

	Cents per pound ex dock or warehouse New York City
Cocoa beans:	
F. F. Accra Main Crop-----	9.50
F. A. Q. Lagos-----	9.40
Mid Lagos-----	9.00
Sanchez-----	8.85
Superior Bahia-----	8.95
Fine St. Thome-----	9.50
Up-River Para-----	8.95
Laguayra-Caracas-----	11.25
Trinidad-Estate (or ordinary)-----	14.75
Trinidad Plantation-----	15.00
Red Summer Arriba-----	11.25
Season Arriba-----	10.625
Caraquez-----	10.25
Java, Estates No. 1-----	21.00
Grenada Plantations-----	14.75
Samoan-----	16.50
Ceylon-----	17.00

¹ 6 F.R. 6374.

Cocoa butter: Cents per pound
f. o. b. shipping point
Cocoa butter----- 25.50

(Executive Orders Nos. 8734, 8875, 6
F.R. 1917, 4483)

Issued this 13th day of December 1941.

LEON HENDERSON,
Administrator.

[F. R. Doc. 41-9385; Filed, December 13, 1941;
11:41 a. m.]

CHAPTER XIII—OFFICE OF PETRO-
LEUM COORDINATOR FOR NA-
TIONAL DEFENSE

[Recommendation No. 7, Amendment]

PART 1500—ADMINISTRATIVE; GENERAL
AMENDMENTS TO REGULATIONS GOVERNING
COMMITTEE MEETINGS, ETC.

Pursuant to the President's letter of
May 28 establishing the Office of Petro-
leum Coordinator for National Defense,
paragraph (b) of § 1500.4 (Recom-
mendation No. 7, dated August 18, 1941,
6 F.R. 5016) is hereby amended to read
as follows:

§ 1500.4 *Minutes.*

(b) Functional committees shall re-
ceive copies of the minutes of the other
functional committees in the same dis-
trict, and the General Chairman shall
receive copies of the minutes of all com-
mittees in his district. Each functional
committee shall furnish copies of its
minutes to the corresponding commit-
tees and to the appropriate directors in
the other four districts. If the General
Chairman considers that a committee
in another district should have a copy
of any particular minutes because of
their reference to problems of interest
to the other committee, he may send
such minutes to the General Chairman
of the other district.*

*§§ 1500.4 and 1500.7 issued under the au-
thority contained in the President's letter of
May 28, 1941, to the Secretary of the Interior
(6 F.R. 2760).

Section 1500.7 (Recommendation No. 7,
dated August 18, 1941, 6 F.R. 5017) is
hereby amended by adding thereto the
following paragraph (j):

§ 1500.7 *Miscellaneous.*

(j) Operating expenses heretofore or
hereafter incurred or paid for industry
committees and subcommittees estab-
lished by the Coordinator or the Deputy
Coordinator, or otherwise established
pursuant to the authority of the Coordi-
nator, shall be distributed equitably
among those members of the industry
generally affected by the functions of
such committees and subcommittees, on
such bases as may be fixed by the func-
tional committee concerned under the
supervision and with the approval of the
General Committee in each district.
Operating expenses of a committee or
subcommittee functioning in more than
one district may be divided as between

districts by agreement among the General Committees for the districts involved.*

HAROLD L. ICKES,
Petroleum Coordinator
for National Defense.

DECEMBER 9, 1941.

[F. R. Doc. 41-9392; Filed, December 15, 1941;
9:58 a. m.]

[Recommendation No. 24]

PART 1500—ADMINISTRATIVE; GENERAL
PETROLEUM INDUSTRY COUNCIL FOR
NATIONAL DEFENSE

In order to aid in the accomplishment of the purposes and objectives of the petroleum defense policy defined by the President of the United States in his letter of May 28, 1941, establishing the Office of Petroleum Coordinator for National Defense, the Petroleum Coordinator for National Defense on November 29, 1941, established the Petroleum Industry Council for National Defense. The purpose of the Council is to mobilize most effectively the resources and abilities of the petroleum industry to deal with the emergency conditions under which the industry must operate and to provide a competent, responsible and representative body equipped and authorized both to advise the Petroleum Coordinator for National Defense with respect to the petroleum industry and to carry into effect immediately measures affecting that industry recommended by the Petroleum Coordinator for National Defense as essential to the national defense.

The resolution of December 8, 1941, of the Congress of the United States declaring that a state of war exists between the Imperial Japanese government and the Government and the people of the United States has made it vital to the national welfare that the Petroleum Industry Council for National Defense be enabled to act swiftly and effectively to advise the Petroleum Coordinator with respect to matters affecting the petroleum industry and to carry into effect recommendations of the Petroleum Coordinator for National Defense.

Therefore, pursuant to the President's letter of May 28, 1941, establishing the Office of Petroleum Coordinator for National Defense, I do hereby recommend that immediately, and until further notice:

§ 1500.8 *Duties and functions.* The Petroleum Industry Council shall: (a) advise or inform the Petroleum Coordinator for National Defense with respect to any matter relating to the petroleum industry submitted to it by the Petroleum Coordinator for advice or information; (b) raise and consider on its own motion and, if deemed necessary or desirable, propose to the Petroleum Coordinator for National Defense any action relating to the proper coordination of the petroleum industry for national

defense, as indicated by the President of the United States in his letter of May 28, 1941, establishing the Office of Petroleum Coordinator for National Defense; (c) take any action or perform any duty or function specified in any formal recommendation of the Petroleum Coordinator for National Defense which has been duly submitted to the Attorney General and entered in the Federal Register, or in any approved plan effective under any such recommendation.*

*§§ 1500.8 to 1500.12, inclusive, issued under the authority contained in the President's letter of May 28, 1941 to the Secretary of the Interior (6 F.R. 2760).

§ 1500.9 *Surveys and investigations.* In accomplishing the purposes and objectives of the Petroleum Industry Council for National Defense, defined in § 1500.8, the Petroleum Industry Council shall obtain, compile and analyze all pertinent and available facts, figures, and other data with respect to any matter which may properly be before it. In this connection the Council is authorized:

(a) To direct such inquiries and questionnaires to such companies, organizations, or persons as may be necessary or appropriate.

(b) To ask and receive expert assistance from any company, organization, or person.

(c) To afford any interested or affected persons an opportunity to present their views.

(d) To consult with any of the committees or temporary or permanent subcommittees established by or under the authority of the Petroleum Coordinator for National Defense, and with any appropriate representative of the Office of Petroleum Coordinator for National Defense.*

§ 1500.10 *Plans.* The Petroleum Industry Council for National Defense, after compiling and analyzing all available and pertinent data with respect to any matter which may be before it, shall, if the Council deems it necessary or desirable, formulate and reduce to writing such specific plan or proposal as shall seem necessary or appropriate and shall submit it, with a statement of facts and reasons, to the Petroleum Coordinator for National Defense, Washington, D. C.*

§ 1500.11 *Organization of council.* The Petroleum Industry Council for National Defense shall select an executive committee which shall have all the duties, functions and authorities of the Council whenever the Council is not in session.

The Petroleum Industry Council for National Defense may maintain such staff and employ such persons as it finds necessary for carrying out its duties, responsibilities and functions under this recommendation, and may appoint such committees as it deems necessary for investigation and report on specific problems.

Minutes shall be kept of all meetings of the Council and of the executive com-

mittee and two copies thereof shall be filed in the Office of the Petroleum Coordinator for National Defense.*

§ 1500.12 *Expenses and contributions.* Operating expenses heretofore or hereafter incurred or paid for the Petroleum Industry Council for National Defense shall be met from a fund to which contributions may be made by companies or individuals engaged in the petroleum industry upon solicitation by the Council.*

HAROLD L. ICKES,
Petroleum Coordinator
for National Defense.

DECEMBER 11, 1941.

[F. R. Doc. 41-9394; Filed, December 15, 1941;
9:58 a. m.]

[Recommendation No. 16]

PART 1504—PROCESSING AND REFINING
AVIATION GASOLINE

To the Refining Committees of the several Districts and to such Subcommittees on Aviation Gasoline as may be designated, and to all persons, natural or artificial, engaged in the petroleum industry, or in industries which affect the petroleum industry, or who hold or have an interest in any patent affecting the manufacture of any grade of aviation gasoline.

On December 7, 1941, the Government of the Empire of Japan declared war upon the United States of America.

It is essential, in the national interest, that the supplies of all grades of aviation gasoline for military, defense and essential civilian uses be increased immediately to the maximum.

Therefore, pursuant to the President's letter of May 28, 1941, establishing the Office of Petroleum Coordinator for National Defense, I do hereby recommend that immediately and until further notice:

§ 1504.10 *Aviation gasoline survey.* The Refining Committees of the several Districts or such temporary Subcommittees on Aviation Gasoline as may be designated shall obtain, compile, and analyze all pertinent and available facts, figures, and other data with respect to the production of all grades of aviation gasoline, including but not limited to information concerning the existence, location and availability of all grades of aviation type crude oils, all grades of aviation gasoline base stocks, aviation gasoline blending agents, aviation gasoline manufacturing patents and processes, the capacity of existing aviation gasoline production and manufacturing facilities, and the possibilities of expansion thereof and the possibilities of the conversion thereto of facilities not now employed for such purposes.*

*§§ 1504.10 to 1504.18, inclusive, issued under the authority contained in the President's letter of May 28, 1941 to the Secretary of the Interior (6 F.R. 2760).

§ 1504.11 *Plans to increase production to be drafted.* In order to increase

to a maximum the production of all grades of aviation gasoline, the Committees or Subcommittees shall prepare plans for the use of all sources of the components of such gasoline and of all components of and facilities for producing or capable of producing any grade of aviation gasoline in such manner as will result in the maximum production of all grades of aviation gasoline in the shortest possible time.*

§ 1504.12 *Provisions of plans.* Such plans may provide for the allocation, exchange, license, pooling, loan, sale or lease of crude oil, base stocks, blending agents, processes and patents, and production, transportation and refining facilities among persons, natural or artificial, whenever and to whatever extent may be necessary to facilitate the maximum production of all grades of aviation gasoline or to reduce the time required to produce such gasoline.*

§ 1504.13 *Further provisions of plans.* Such plans may provide for the exchange, loan, sale, pooling, allocation, or leasing of other petroleum or petroleum products and of production, transportation, refining and storage facilities wherever and to whatever extent may be necessary to avoid inequities among the various affected units of the petroleum industry, whether producing, refining, transporting or marketing, and, specifically, may provide for a reduction in any locality or area of the quality and octane rating of motor fuels so far as consistent with defense or essential civilian needs where such action is made necessary because of the operation of any plan provided for in § 1504.11.*

§ 1504.14 *Adjustments or changes in costs.* In the preparation of the plans pursuant to § 1504.11 and in carrying such plans into effect, the Committees or Subcommittees shall obtain, compile, and analyze facts, figures and other data showing such increases or decreases in costs as may be occasioned or realized in the execution of such plans. Reports shall be made to the Office of Petroleum Coordinator for National Defense in order that that Office and the Committees or Subcommittees may advise and consult with the Office of Price Administration or other appropriate Federal agencies concerning the effect of such plans upon costs.*

§ 1504.15 *Terms of existing contracts to be filed.* Within 30 days from the date hereof there shall be filed in the Office of Petroleum Coordinator for National Defense a full statement of the terms of existing contracts and agreements for the production, storage, use, sale, or other disposition of all grades of aviation gasoline and all grades of aviation gasoline base stocks and blending agents.*

§ 1504.16 *Prior review of action affecting aviation gasoline.* Except where in accordance with the provisions of an approved plan formulated under the provisions of § 1504.11, after the date hereof no action shall be taken by any producer or refiner of any grade of aviation gasoline, aviation gasoline base stocks or avia-

tion gasoline blending agents with respect to the production, storage, use, sale, or other disposition thereof without giving antecedent advice thereof to the Petroleum Coordinator for National Defense in order that he may have an opportunity to make specific recommendation with respect thereto.*

§ 1504.17 *Meetings.* Meetings of the Committees or Subcommittees and representatives of the petroleum industry shall be held from time to time for the purpose of preparing the plans provided for in § 1504.11, and the Committees or Subcommittees shall meet from time to time with any Committees or Subcommittees established by the Office of Production Management or other Federal agency to study the problems involved in the production of all grades of aviation gasoline, aviation gasoline base stocks or aviation gasoline blending agents. The Committees or Subcommittees and representatives of the petroleum industry shall, upon the approval of any of the aforesaid plans by the Chief Counsel of the Office of Petroleum Coordinator for National Defense, and pursuant to the direction of the Petroleum Coordinator for National Defense, meet from time to time for the purpose of doing all things necessary to carry into effect any such plan in accordance with the foregoing provisions of this Recommendation.*

§ 1504.18 *Effectuating plans.* The Committees or Subcommittees and all persons affected by any plan formulated in accordance with the provisions of § 1504.11 shall, upon the approval by the Chief Counsel of the Office of Petroleum Coordinator for National Defense of any plan prepared pursuant to § 1504.11, and pursuant to the direction of the Petroleum Coordinator for National Defense, carry into effect such plan according to its terms, conditions and intent.*

HAROLD L. ICKES,
Petroleum Coordinator
for National Defense.

DECEMBER 9, 1941.

[F. R. Doc. 41-9393; Filed, December 15, 1941;
9:58 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

[1941, First Amendment to Dept. Circ. No. 654]

UNITED STATES SAVINGS BONDS, DEFENSE SERIES F

DECEMBER 12, 1941.

1. On and after January 1, 1942, the additional denomination of \$25 (maturity value) of United States Savings Bonds of Defense Series F will be provided, the issue price of which will be \$18.50; paragraph 1 of Section II, and paragraph 6 of Section III of Department Circular No. 654, dated April 15, 1941, are amended accordingly.

2. The table of redemption values and investment yields for United States Savings Bonds—Defense Series F, appended to Department Circular No. 654, is modified by the addition of the following:

REDEMPTION VALUES	
Maturity value.....	\$25.00
Issue price.....	18.50
Period after issue date	
First ½ year.....	(1)
½ to 1 year.....	\$18.50
1 to 1½ years.....	18.55
1½ to 2 years.....	18.62
2 to 2½ years.....	18.72
2½ to 3 years.....	18.85
3 to 3½ years.....	19.00
3½ to 4 years.....	19.17
4 to 4½ years.....	19.40
4½ to 5 years.....	19.65
5 to 5½ years.....	19.92
5½ to 6 years.....	20.22
6 to 6½ years.....	20.55
6½ to 7 years.....	20.87
7 to 7½ years.....	21.20
7½ to 8 years.....	21.52
8 to 8½ years.....	21.85
8½ to 9 years.....	22.17
9 to 9½ years.....	22.50
9½ to 10 years.....	22.85
10 to 10½ years.....	23.22
10½ to 11 years.....	23.62
11 to 11½ years.....	24.05
11½ to 12 years.....	24.50

MATURITY VALUE

12 years from issue date..... \$25.00

¹ Not redeemable.

D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 41-9400; Filed, December 15, 1941;
11:09 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. D-4]

IN THE MATTER OF THE APPLICATION OF ALABAMA FUEL AND IRON COMPANY FOR PERMISSION TO RECEIVE SALES AGENTS' COMMISSIONS AND DISTRIBUTORS' DISCOUNTS ON COAL SOLD BY IT TO ACTON COAL COMPANY

NOTICE OF AND ORDER FOR HEARING

The Alabama Fuel and Iron Company, a corporation organized under the laws of Alabama with its principal offices in Birmingham, Alabama, being registered with the Division as a distributor, No. 92, and acting as a sales agent for certain producers, filed its petition praying:

For a determination herein that its "ownership" or "control" over Acton Coal Company, if any, is bona fide, is not established to secure an indirect price reduction, and is not within the prohibition of Paragraphs 11 and 12 of section 4, Part II (i) of the Bituminous Coal Act.

It is ordered, That a hearing on such matter be held on February 10, 1942, at 10 a. m. in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 15th Street, NW., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise

¹ 6 F.R. 1969.

as to the room where such hearing will be held.

It is further ordered, That Charles S. Mitchell or any other officer or officers of the Bituminous Coal Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to such petitioner and to any other person who may have an interest in such proceeding. Any person desiring to be heard at such hearing shall file a notice to that effect with the Bituminous Coal Division on or before February 6, 1942, setting forth therein the nature of his interest and a concise statement of the matter or matters which he intends to present.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

Dated: December 13, 1941.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 41-9395; Filed, December 15, 1941;
10:52 a. m.]

[Docket No. A-1155]

PETITION OF DISTRICT BOARD NO. 1 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 1

[Docket No. A-1155, Part II]

PETITION OF DISTRICT BOARD NO. 1 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR MIXTURE OF COALS FROM CERTAIN MINES IN DISTRICT NO. 1 AND FOR ADDITIONAL SHIPPING POINTS FOR MINE INDEX NOS. 729 AND 3074 IN DISTRICT NO. 1

MEMORANDUM OPINION AND ORDER SEVERING DOCKET NO. A-1155 PART II FROM DOCKET NO. A-1155, GRANTING TEMPORARY RELIEF, IN PART, AND NOTICE OF AND ORDER FOR HEARING IN DOCKET NO. A-1155, PART II

A petition, pursuant to the Bituminous Coal Act of 1937, was duly filed with this Division in Docket No. A-1155 for

the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1. As the Acting Director found in an Order issued in Docket No. A-1155, a reasonable showing has been made for the granting of the relief prayed for by the petition except as to a mixture of the coals of Blose and Burkett No. 1 Mines of G. C. Blose and a mixture of the coals of the Matthews Nos. 1, 2, 3, and 4 Mines of John H. Matthews, and as to the establishment of additional shipping points for the coals of the Nevling Mine of William Fraser, Jr., and for the coals of the Blose Mine.

The official records of the Division do not indicate the existence of a Matthews No. 3 Mine. Accordingly, the petition does not allege sufficient facts in support of the proposal for the establishment of price classifications and minimum prices for the mixture of the coals of the Matthews Nos. 1, 2, 3, and 4 Mines, and the temporary relief herein granted as to these mines, pending a hearing, is, therefore, limited to the Matthews Nos. 1, 2, and 4 Mines.

Since the petition does not propose a shipping point for rail shipments of the mixture of coals from the Blose and Burkett No. 1 Mines, and does not allege any facts in support of the proposal for the establishment of additional shipping points for the coals of the Blose and Nevling Mines, it appears appropriate that a hearing be held on these matters to determine the propriety of granting the relief requested.

Now, therefore, it is ordered, That the portion of Docket No. A-1155 relating to the Blose Mine (Mine Index No. 729) of G. C. Blose, the Nevling Mine (Mine Index No. 3074) of William Fraser, Jr., the Burkett No. 1 Mine (Mine Index No. 3202) of G. C. Blose, and the Matthews Nos. 1, 2, 3, and 4 Mines (Mine Index Nos. 685, 3204, and 2362, Matthews No. 3 Mine being excepted) of John H. Matthews, be, and it hereby is, severed from the remainder of Docket No. A-1155 and designated as Docket No. A-1155 Part II.

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act, and the rules of the Division, be held on January 16, 1942, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street, N.W., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Scott A. Dahlquist or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other rec-

ords deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before January 10, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to (1) the establishment of price classifications and minimum prices for rail shipments of a mixture of coals from the Blose and Burkett No. 1 Mines of G. C. Blose, and of a mixture of coals from the Matthews Nos. 1, 2, 3, and 4 Mines of John H. Matthews, (2) making the price classifications and minimum prices effective for the coals of the Blose Mine of G. C. Blose for shipment on the Pittsburgh and Shawmut Railroad from Sprankles Mills, Pennsylvania, also applicable for such shipments on the Pennsylvania Railroad from Punxsutawney, Pennsylvania; (3) making the price classifications and minimum prices effective for the coals of the Nevling Mine of William Fraser, Jr., for shipment on the Pennsylvania Railroad from Osceola Mills, Pennsylvania, also applicable for such shipments on the Pennsylvania Railroad from Houtzdale, Pennsylvania.

It is further ordered, That a reasonable showing of necessity therefor having been made, pending final disposition of the above matter, temporary relief be and the same is hereby granted as follows: Commencing forthwith the Schedule of Effective Minimum Prices for District No. 1 For All Shipments Except Truck is supplemented to provide that if the coals within each of the following groups are loaded into the same car the price that shall apply to such mixture shall be the price which is listed for the coal in the mixtures having the highest price classification:

(1) Blose and Burkett No. 1 Mines of G. C. Blose;

(2) Matthews Nos. 1, 2, and 4 Mines of John H. Matthews.

Notice is hereby given that applications to stay, modify or terminate the temporary relief granted in this Order may be filed in accordance with the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act.

Dated: December 13, 1941.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 41-9396; Filed, December 15, 1941;
10:52 a. m.]

[Docket No. A-89]

PETITION OF TRUAX-TRAER COAL COMPANY REQUESTING FREE ALONGSIDE PRICES ON SALES TO CHAMPION PAPER & FIBRE COMPANY;

[Docket Nos. A-289, A-337]

PETITIONS OF THE CITY OF CINCINNATI AND THE BOARD OF EDUCATION OF THE CITY SCHOOL DISTRICT OF THE CITY OF CINCINNATI FOR AN ORDER ESTABLISHING FREE ALONGSIDE PRICES; AND THE COUNTY OF HAMILTON, OHIO, FOR THE ESTABLISHMENT OF FREE ALONGSIDE PRICES;

[Docket No. A-352]

PETITION OF CONSUMERS' COUNSEL FOR FREE ALONGSIDE PRICES FROM DISTRICTS 8, 9, AND 10 FOR THE OLD QUAKER COMPANY, LAWRENCEBURG, INDIANA;

[Docket No. A-352A]

IN THE MATTER OF THE REVISION OF RIVER PRICES IN DISTRICT 8 FOR DELIVERY OF HIGH VOLATILE COAL TO JOSEPH E. SEAGRAM AND SONS, INC., LAWRENCEBURG, INDIANA, PURSUANT TO AUTHORITY TO REVIEW AND REVISE PRICES CONTAINED IN SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937;

[Docket No. A-539]

PETITION OF THE CONSUMERS' COUNSEL DIVISION SEEKING FREE ALONGSIDE PRICES FROM DISTRICTS 8, 9, AND 10 FOR JAMES WALSH AND COMPANY, INC., LAWRENCEBURG, INDIANA, IN MARKET AREA No. 26.

[Docket No. A-540]

PETITION OF THE CONSUMERS' COUNSEL DIVISION SEEKING FREE ALONGSIDE PRICES FROM DISTRICTS 8 AND 9 FOR THE LAWRENCEBURG ROLLER MILLS COMPANY, LAWRENCEBURG, INDIANA, IN MARKET AREA No. 26

MEMORANDUM OPINION AND ORDER DENYING PETITION TO AMEND ORDER OF THE DIRECTOR OF SEPTEMBER 20, 1941

This proceeding was instituted upon original petitions filed with the Bituminous Coal Division pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

In general, the original petitions requested modification of the effective price schedules so as to grant to certain named consumers the privilege of purchasing certain coals at the minimum f. a. s. prices in lieu of applicable ex-river prices.

Pursuant to Orders and Notices of Hearing issued by the Director, a hearing in these matters was held before a duly designated Examiner of the Division on January 10, 11, and 23, 1941. Thereafter, the Examiner submitted Proposed Findings of Fact and Conclusions of Law, dated June 16, 1941.

On September 20, 1941, 6 F.R. 4864, the Director issued his Memorandum Opinion and Order approving and adopting the Proposed Findings of Fact and Conclusions of Law of the Examiner and granting permanent relief. Said Memorandum Opinion contained, *inter alia*, the following paragraph:

Because at the hearing there arose some doubts concerning the conditions under which f. a. s. prices apply, it is believed that a clarification thereof may be helpful. It has always been recognized that f. a. s. prices apply only where shipments are made and deliveries received by the purchaser in barges. The weights that govern are the railroad weights at the mine. Furthermore, in accordance with Price Instruction 9, consumers purchasing coal on an f. a. s. basis must assume all intervening costs subsequent to and including unloading from the barge. And, of course, f. a. s. prices apply only when the coal delivered to the consumer is the same coal which was loaded at the river loading facilities.

On October 20, 1941, the petitioners in Docket No. A-289 filed a petition seeking to amend the Memorandum Opinion and Order of September 20, by striking therefrom the foregoing paragraph and inserting in lieu thereof a paragraph "clearly indicating that as to these petitioners any code member of District 8 may sell high volatile coal in the same manner and under the same conditions as existed prior to October 1, 1940, except that no such coal shall be sold at less than minimum f. o. b. mine price as established by your Division, plus the aggregate cost of transporting and handling such coal, via river, from the mines to the bins of these petitioners."

A reconsideration of the matter leads the undersigned to conclude that the aforementioned statement contained in the Memorandum Opinion of September 20, 1941, concerning the conditions under which f. a. s. prices apply is consistent with the definition of f. a. s. prices contained in the Schedule of Effective Minimum Prices for District No. 8 for all Shipments Except Truck. For this reason the petition to modify said Memorandum Opinion should be denied.

It may be, however, that the petitioners are able and willing to present

evidence concerning the effect of the aforementioned statement contained in the Memorandum Opinion of the Director of September 20 on their methods of purchasing coal or concerning the appropriateness of its inclusion. If so, and if the petitioners see fit, they may file a petition to reopen the hearing for the purpose of introducing such evidence. Upon the receipt of such motion, the undersigned will give prompt consideration thereto. Pending such receipt, however, the undersigned will deny the petition filed on October 20, 1941, to modify the Memorandum Opinion and Order of the Director dated September 20, 1941.

Now, therefore, it is hereby ordered, That the petition of the City of Cincinnati, Ohio, et al., filed herein on October 20, 1941, be, and it hereby is, denied.

Dated: December 13, 1941.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 41-9397; Filed, December 15, 1941;
10:52 a. m.]

DEPARTMENT OF AGRICULTURE.

Federal Farm Mortgage Corporation.

NOTICE OF CALL FOR REDEMPTION

To holders of 3 percent and 2¾ percent Federal Farm Mortgage Corporation bonds of 1942-47, and others concerned:

Public notice is hereby given that the Federal Farm Mortgage Corporation has called for redemption on January 15, 1942, all its outstanding 3 percent bonds of 1942-47. They will cease to bear interest on that date. Unless previously surrendered these bonds will be payable at par upon presentation at any Federal reserve bank or branch, or at the Treasury Department, Washington, D. C., on and after January 15, 1942.

Public notice is also hereby given that the Federal Farm Mortgage Corporation has called for redemption on March 1, 1942, all its outstanding 2¾ percent bonds of 1942-47. They will cease to bear interest on that date. Unless previously surrendered these bonds will be payable at par upon presentation at any Federal reserve bank or branch, or at the Treasury Department, Washington, D. C., on and after March 1, 1942.

The presentation and surrender of bonds of these two issues will be governed by the provisions of Treasury Department Circular No. 666, dated July 21, 1941.

An offering of interest bearing obligations of the United States may be made available to holders of bonds of these two issues, concerning which public announcement will be made by the Secretary.

tary of the Treasury shortly after January 1, 1942.

[SEAL] FEDERAL FARM MORTGAGE
CORPORATION,
By A. G. BLACK,
President.

DECEMBER 15, 1941.

Attest:

D. C. CARNES,
Secretary.

Approved:

H. MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 41-9379; Filed, December 12, 1941;
2:30 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS UNDER THE FAIR LABOR STANDARDS ACT OF 1938

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Men's Single Pants, Shirts and Allied Garments and Women's Apparel Industries, September 23, 1941 (6 F.R. 4839).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry

designated above and indicated opposite the employer's name. These Certificates become effective December 15, 1941. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY,
PRODUCT, NUMBER OF LEARNERS, AND
EXPIRATION DATE

Apparel

A. DiPaola and Company, 211 South Fifth Street, Camden, New Jersey; Men's coats, overcoats, sackcoats; 5 percent (T); December 15, 1942.

The Marshal Novelty Company, Inc., 316 Fifth Avenue, New York, New York; Aprons; 2 learners (T); March 30, 1942.

Soboroff-Rosenwald Company, 1500 North Ogden Avenue, Chicago, Illinois; Caps; 5 percent (T); December 15, 1942.

Tailors Service Company, 417 Hennepin Avenue, Minneapolis, Minnesota; Men's Clothes; 5 learners (T); December 15, 1942.

Single Pants, Shirts, and Allied Garments and Women's Apparel Industries

The Abeles Company, Inc., 143 Hilbert Street, Cedarburg, Wisconsin; Men's Trousers; 5 learners (T); December 15, 1942. (This certificate is restricted to the employment of learners on commercial work only.)

Albern Manufacturing Company, 61 Ponagansett Avenue, Providence, Rhode Island; Boys' shirts, Men's shirts; 10 percent (T); December 15, 1942.

Bixler Shirt Company, Center Street, Millersburg, Pennsylvania; Shirts; 10 percent (T); December 15, 1942.

Dorothy Manufacturing Company, 36 Frances Place, Keansburg, New Jersey; Infants' and Children's Wear; 10 learners (T); December 15, 1942.

Eff and Emm Sportswear, Inc., 117 Grattan Street, Brooklyn, New York; Sport shirts; 10 learners (T); April 13, 1942.

Grand Sportswear, 30 Bank Street, Elizabeth, New Jersey; Children's Snowsuits, Beachwear; 10 percent (T); December 15, 1942.

Hirsch Shirt Corporation, Calumet and Hoffman Streets, Hammond, Indiana; Men's dress and sport shirts; 10 percent (T); December 15, 1942.

Items, Incorporated, 701 South Third Street, Belleville, Illinois; Dresses; 40 learners (E); June 15, 1942.

I. B. Kleinert Rubber Company, 20-09 127th Street, College Point, New York; Miscellaneous rubber accessories; 5 percent (T); December 15, 1942.

Kulpmont Manufacturing Company, Chestnut Street, Kulpmont, Pennsylvania; Corsets, Girdles, Brassieres, Women's Swim Suits; 6 learners (T); December 15, 1942.

S. Liebovitz & Sons, Inc., Wisconsin Street, Tower City, Pennsylvania; Shirts; 30 learners (E); June 15, 1942.

Majestic Manufacturing Company, Inc., 192 Cain Street, Atlanta, Georgia; Ladies' Wash Dresses; 10 learners (T); December 15, 1942.

N & W Overall Company, Inc., 1415 Kemper Street, Lynchburg, Virginia; Overalls, Shirts, Pants; 10 percent (T); December 15, 1942.

National Garment Company, Main Street, Chaffee, Missouri; Sport Shirts; Slack Suits; 10 learners (T); June 15, 1942.

Pennsylvania Dress Corporation, 1540 Main Street, Northampton, Pennsylvania; Dresses; 10 learners (T); December 15, 1942.

Piedmont Shirt Company, 25 East Court Street, Greenville, South Carolina; Shirts; 10 percent (T); December 15, 1942.

Piedmont Shirt Company (Eastwill Sportswear Division), 411 Rush Avenue, Greenwood, South Carolina; Sport shirts; 46 learners (E); June 15, 1942.

S. Rosenbloom, Inc., 12 N. Paca, 318-20 W. Baltimore and 500 W. Baltimore, Baltimore, Maryland; Denim Coats, Trousers; 10 percent (T); December 15, 1942.

Frank Schlosser, 632 Wood Street, Vineland, New Jersey; Dresses; 2 learners (T); December 15, 1942.

M. Setlow and Son, Inc., 131 Chestnut Street, New Haven, Connecticut; Pants and Overalls; 10 percent (T); December 15, 1942.

Troy Collar Company, 560 River Street, Troy, New York; Children's Dresses; 3 learners (T); December 15, 1942.

Union Pants Manufacturing Company, Spring and Ann Streets, Bordentown, New Jersey; Men's & Boy's work clothing; 10 percent (T); December 15, 1942.

Veronica Dress Company, 1009 Main Street, Dickson City, Pennsylvania; Children's Dresses; 6 learners (T); December 15, 1942.

Waxahachie Garment Company, South Jackson Street, Waxahachie, Texas; Shirts, Pants; 160 learners (E); June 15, 1942.

Wee Tog Manufacturing Company, Amber & Willard Streets, Philadelphia, Pennsylvania; Children's cotton dresses; 10 percent (T); December 15, 1942.

Western Fashions, 722 South Los Angeles Street, Los Angeles, California; Slacks and Blouses; 10 learners (T); December 15, 1942. (This certificate replaces the one bearing the expiration date of March 6, 1942.)

Gloves

The Glove Corporation, 301 N. Harrison Street, Alexandria, Indiana; Work Gloves; 5 learners (T); December 15, 1942.

Newton Glove Manufacturing Company, Ashe Avenue, Newton, North Carolina; Work Gloves; 5 percent (T); December 15, 1942.

Hosiery

Josephine Mills, Inc., Marion, North Carolina; Seamless Hosiery; 10 percent (T); December 15, 1942. (This certificate replaces the one bearing the expiration date of January 3, 1942.)

Lykens Hosiery Mills, Lykens, Pennsylvania; Seamless Hosiery; 3 learners (T); August 15, 1942.

Marietta Hosiery Company, 112 Winters Street, Marietta, Georgia; Seamless and Full Fashioned Hosiery; 5 learners (T); December 15, 1942. (This certificate replaces the certificates issued when located in Burlington and Hickory, North Carolina, expiring on December 9 and December 21, respectively.)

Propper-McCallum Hosiery Company, Inc., Northampton, Massachusetts; Full Fashioned Hosiery; 5 percent (T); December 15, 1942.

Salem Full Fashioned Hosiery Mill, Salem, Virginia; Full Fashioned Hosiery; 5 percent (T); December 15, 1942.

Unique Knitting Company, Acworth, Georgia; Seamless Hosiery; 5 percent (T); December 15, 1942.

Knitted Wear

Globe Knitting Works, 315 Commerce Avenue, Grand Rapids, Michigan; Knitted underwear, commercial knitting; 5 percent (T); December 15, 1942.

Betty Heitler, 464 Broad Avenue, Palisades Park, New Jersey; Knitted Outerwear; 5 learners (T); December 15, 1942.

Kain - Murphy Corporation, Chattanooga, Tennessee; Underwear; 5 percent (T); December 15, 1942.

Signal Knitting Mills, Manufacturers Road, Chattanooga, Tennessee; Underwear; 5 percent (T); December 15, 1942.

Wei-Sack Mills, Inc., South Front Street, Hudson, New York; Knitted Outerwear; 7 learners (T); December 15, 1942.

W. A. White Underwear Corporation, 353 West First Street, Oswego, New York; Children's Sweaters; 5 learners (T); March 30, 1942.

Textiles

Boott Mills, John Street, Lowell, Massachusetts; Cotton Goods; 150 learners (E); March 9, 1942.

General Webbing Corporation, 235 Mill Street, Springfield, Massachusetts; Webbing and Tapes; 11 learners (E); March 30, 1942.

Georgia Webbing and Tape Company, 1340 11th Avenue, Columbus, Georgia; Narrow Fabrics; 3 percent (T); December 15, 1942.

Hall Line Corporation, Park Avenue, Highland Hills, New York; Braids and Twine; 3 learners (T); December 15, 1942.

Grass-Grossinger Company, 312 Penn Avenue, Scranton, Pennsylvania; Apparel; Caps; 2 learners (T); December 15, 1942.

Meadow Avenue Shirt Company, Meadow Avenue, Cambridge, Maryland; Apparel; Shirts; 20 learners (E); June 15, 1942.

Phillips-Jones Corporation, 829 E. 134th Street, New York, New York; Apparel; Men's Collars; 10 learners (T); March 30, 1942.

Pioneer Cap Company, 710 Central Street, Kansas City, Missouri; Apparel; Caps; 4 learners (T); December 15, 1942.

Swanton Manufacturing Company, Swanton, Vermont; Apparel; Dresses; 56 learners (E); June 15, 1942.

Crescent Knitting Company, Armfield Street, Statesville, North Carolina; Hosiery; Seamless hosiery; 5 percent (T); December 15, 1942. (This certificate replaces the one bearing the expiration date of November 27, 1942.)

Signed at Washington, D. C., this 15th day of December 1941.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 41-9411; Filed, December 15, 1941;
11:55 a. m.]

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS UNDER THE FAIR LABOR STANDARDS ACT OF 1938

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective December 15, 1941.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME, AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

The Arthurdale Association, Arthurdale, West Virginia; Wood Furniture; 15 learners; 8 weeks for any one learner; 30 cents per hour; Assembler; Finisher; April 20, 1942.

The Arthurdale Association, Arthurdale, West Virginia; Wood Furniture; 5 learners; 4 weeks for any one learner; 30 cents per hour; Sander; February 23, 1942.

Artistic Manufacturing Company, 336 Sixth Street, N. E., Atlanta, Georgia; Costume Jewelry, 10 learners; 4 weeks for any one learner; 30 cents per hour; Hand

Costume Jewelry Maker; February 23, 1942.

Signed at Washington, D. C., this 15th day of December 1941.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 41-9412; Filed, December 15, 1941;
11:55 a. m.]

NOTICE OF GRANTING OF EXCEPTION FROM THE RECORD KEEPING REGULATIONS

WESTINGHOUSE ELECTRIC & MFG. CO.

Notice is hereby given that pursuant to § 516.18 of the Record Keeping Regulations, Part 516, the Administrator of the Wage and Hour Division has granted the Westinghouse Electric & Manufacturing Company, East Pittsburgh, Pennsylvania, relief from the necessity of preserving their customer orders having a billing value of not in excess of \$500 for two years as required by § 516.15, paragraph (b).

This authority is subject to voidance for misrepresentation and revocation for cause.

Signed at Washington, D. C. this 12th day of December 1941.

BAIRD SNYDER,
Acting Administrator.

[F. R. Doc. 41-9413; Filed, December 15, 1941;
11:55 a. m.]

NOTICE OF HEARING IN THE MATTER OF EMPLOYMENT OF LEARNERS AT LESS THAN THE MINIMUM WAGE IN THE SINGLE PANTS, SHIRTS AND ALLIED GARMENTS INDUSTRY AND THE WOMEN'S APPAREL INDUSTRY UNDER THE FAIR LABOR STANDARDS ACT OF 1938 AND IN THE PERFORMANCE OF GOVERNMENT CONTRACTS SUBJECT TO THE PUBLIC CONTRACTS ACT AND THE SECRETARY'S DETERMINATIONS UNDER THAT ACT FOR THE COTTON GARMENTS AND ALLIED INDUSTRIES

Whereas notice of opportunity to show cause by December 11, 1941, why certain proposed amendments of the Regulations Applicable to the Employment of Learners in the Single Pants, Shirts and Allied Garments Industry and the Women's Apparel Industry, issued effective September 29, 1941, should not be adopted was published in the FEDERAL REGISTER of November 26, 1941 and by general press release on that date, and

Whereas petitions have been received from interested parties requesting that an opportunity for objections to be heard be afforded them,

Now, therefore, notice is hereby given that a public hearing will be held in Room 3229, U. S. Department of Labor Building, Washington, D. C., beginning at 10:00 A. M. December 22, 1941, before Merle D. Vincent, Director of the Hearings Branch of the Wage and Hour Division, authorized representative of the Acting Administrator, to hear objections to the proposed amendments.

All interested parties are further notified that at the same time and place and before the same presiding officer, acting as a special examiner under the Walsh-Healey Public Contracts Act, they will be given opportunity to show cause, if any they have, why the Secretary of Labor should not adopt as applicable to government contracts for the products of the Cotton Garment and Allied Industries as defined in the decision of July 28, 1937, as amended from time to time, the proposed amendments above referred to for the employment of learners at sub-minimum rates.

All interested parties wishing to appear at this hearing may do so by filing notice of intention and approximate time required with the presiding officer, prior to December 22, 1941, and may file with him briefs and arguments pertaining to the proposed amendments by that date. Two copies of all briefs and arguments should be filed.

Signed this 15th day of December 1941.

BAIRD SNYDER,
Acting Administrator.
L. METCALFE WALLING,
Administrator,
Division of Public Contracts.

[F. R. Doc. 41-9414; Filed, December 15, 1941;
11:55 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-457]

IN THE MATTER OF FLORIDA POWER & LIGHT COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 11th day of December, A. D. 1941.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named party or parties; and

Notice is further given that any interested person may, not later than December 20, 1941 at 4:45 P. M., E. S. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D. C.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Florida Power & Light Company (hereinafter referred to as "Florida") proposes

to enter into a contract with W. W. Levering and N. I. Thompson (individuals in no way affiliated with Florida or its affiliates) whereby, subject to certain conditions, Florida will sell to the aforementioned individuals on December 30, 1941 all the capital stock and an Income Demand Note (in the unpaid principal amount of \$962,000 which is to be reduced in undetermined amount as the result of the transaction) of Consumers Water Company, a subsidiary of Florida which owns and operates water properties in Coral Gables and Stuart, Florida. Under the proposed contract the purchasers will pay to Florida a total consideration of \$850,000, of which \$300,000 will be in cash and \$555,000 will be in the Form of First Mortgage Bonds, 4% Series due 1955 of Consumers Water Company, which are to be issued by Consumers Water Company to Levering and Thompson for this purpose. The Bonds will be secured by a closed Mortgage and Deed of Trust executed by Consumers Water Company, which will constitute a first lien on all properties and franchises of Consumers Water Company in Dade County, Florida.

Consumers Water Company also proposes to enter into a contract to sell its Stuart water properties on December 31, 1941 to Natt T. Wagner (an individual in no way affiliated with Consumers Water Company, Florida, or affiliated interests). Accordingly, the contract between Florida and Levering and Thompson contemplates that Consumers Water Company at the date its securities are transferred by Florida will own only properties and assets related to the Coral Gables water distribution system.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-9390; Filed, December 13, 1941;
12:00 m.]

[File No. 59-5]

IN THE MATTER OF THE MIDDLE WEST CORPORATION AND ITS SUBSIDIARY COMPANIES, RESPONDENTS

ORDER GRANTING REQUEST TO INTERVENE OF THE GUADALUPE-BLANCO RIVER AUTHORITY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 11th day of December, A. D. 1941.

Guadalupe-Blanco River Authority having filed a request to intervene in the proceedings under section 11 (b) (1) of the Public Utility Holding Company Act of 1935 with respect to The Middle West Corporation and its subsidiary companies; said request having stated that Guadalupe-Blanco River Authority has an interest in said proceedings, and it appearing that said Authority is a political sub-division of the State of Texas:

It is ordered, That the request of Guadalupe-Blanco River Authority to intervene in said proceedings is granted, and said Guadalupe-Blanco River Authority is hereby admitted as a party in said proceedings and may be heard with

respect to all matters affecting its interest.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-9391; Filed, December 13, 1941;
12:00 m.]

[File No. 2-4752]

IN THE MATTER OF AUTOMATIC TELEPHONE DIALER, INC.

STOP ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 12th day of December, A. D. 1941.

This matter coming on to be heard before the Commission on the registration statement of Automatic Telephone Dialer, Inc., a Delaware Corporation, after confirmed telegraphic notice to said registrant that it appeared that said registration statement included untrue statements of material facts and omitted to state material facts required to be stated and omitted to state material facts necessary to make the statements therein not misleading, and upon evidence received upon the allegations made in the notice of hearing duly served on said registrant; and

The Commission having considered the matter, and finding that said registration statement includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading, all as more fully set forth in the Findings and Opinion of the Commission this day issued; and

The Commission now being fully advised in the premises;

It is ordered, Pursuant to section 8 (d) of the Securities Act of 1933, that the effectiveness of the registration statement filed by Automatic Telephone Dialer, Inc., a Delaware corporation, be and the same hereby is suspended.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-9407; Filed, December 15, 1941;
11:35 a. m.]

[File No. 1-1426]

IN THE MATTER OF THE UNION METAL MANUFACTURING COMPANY COMMON STOCK, NO PAR VALUE

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 13th day of December, A. D. 1941.

The Union Metal Manufacturing Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw

its Common Stock, No Par Value, from listing and registration on the Cleveland Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:30 a. m. on Wednesday, January 7, 1942, at the office of the Securities & Exchange Commission, 1370 Ontario Street, Cleveland, Ohio, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That James C. Gruener, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-9408; Filed, December 15, 1941;
11:35 a. m.]

[File No. 70-440]

IN THE MATTER OF COLUMBIA GAS & ELECTRIC CORPORATION, THE MANUFACTURERS LIGHT AND HEAT COMPANY, PENNSYLVANIA FUEL SUPPLY COMPANY

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 12th day of December, A. D. 1941.

The above-named parties having filed declarations pursuant to the Public Utility Holding Company Act of 1935, particularly sections 12 (c) and 12 (f)

thereof and Rules U-42 and U-43 promulgated thereunder regarding the sale by Columbia Gas & Electric Corporation to its wholly-owned subsidiaries, The Manufacturers Light and Heat Company and Pennsylvania Fuel Supply Company, of \$400,000 and \$100,000 principal amount, respectively, of 3% 11 Months' Notes of said subsidiaries at their principal amount plus accrued interest; and

Said declarations having been filed on November 19, 1941, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declarations within the period specified in said notice or otherwise and not having ordered a hearing thereon; and the above-named persons having requested that said declarations be permitted to become effective as soon as possible; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declarations to become effective pursuant to sections 12 (c) and 12 (f) and Rules U-42 and U-43 promulgated thereunder, and being satisfied that the effective date of said declarations should be advanced;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that the above declarations be and hereby are permitted to become effective forthwith.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-9409; Filed, December 15, 1941;
11:35 a. m.]

[File No. 70-436]

IN THE MATTER OF ST. LOUIS COUNTY WATER COMPANY

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its

office in the City of Washington, D. C., on the 13th day of December, 1941 A. D.

St. Louis County Water Company, a subsidiary of Commonwealth Utilities Corporation a registered holding company and a subsidiary of The United Gas Improvement Company, a registered holding company, having filed an application pursuant to the Public Utility Holding Company Act of 1935, particularly section 6 (b) thereof, regarding the issuance of a note on or about December 20, 1941 and maturing in not exceeding nine months, in the amount of \$100,000 with interest at 2% per annum, payable to Mississippi Valley Trust Company, the proceeds to be used in partial reimbursement of the Company's treasury for amounts expended for construction; and

Said application having been filed on November 14, 1941 and an amendment thereto having been filed on November 19, 1941, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said application within the period specified by said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of section 6 (b) are satisfied and that the above-named applicant is entitled to an exemption from the provisions of section 6 (a) of said Act with respect to the proposed transaction, subject to the terms and conditions prescribed by Rule U-24;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application, as amended, be and it hereby is granted forthwith.

By the Commission. (Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940.)

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-9410; Filed, December 15, 1941;
11:35 a. m.]